



MISS TONI FLY, 18658-023  
Name and Prisoner Number/Alien Registration Number

USP-TUCSON  
Place of Confinement

PO BOX 24550  
Mailing Address

TUCSON, AZ 85734-4550  
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

## IN THE UNITED STATES DISTRICT COURT

### FOR THE DISTRICT OF ARIZONA

MS. TONI FLY, 18658-023

MR. WILLIAM ANTHONY FLY  
(Full Name of Petitioner)

Petitioner,

CASE NO. CV-23-00103-TUC-SHR-EJM  
(To be supplied by the Clerk)

COLLETT S. PETERS vs. DIRECTOR,  
MARK GUTIERREZ, WARDEN ET AL.  
(Name of Warden, Jailor or authorized person  
having custody of Petitioner)

Respondent.

"Emergency"

PETITION UNDER 28 U.S.C. § 2241  
FOR A WRIT OF HABEAS CORPUS  
BY A PERSON IN FEDERAL CUSTODY

Hearing Requested

IMMINENT DANGER

PETITION UNDER 28 U.S.C. 1651 ALL WRITS ACT

PETITION UNDER FEDERAL RULES OF CIVIL PROCEDURE  
Rule 6 D. AND

PETITION UNDER FEDERAL RULES OF CRIMINAL  
PROCEDURE Rule 22

1. What are you challenging in this petition?

- ☐ Immigration detention  
☒ Bureau of Prisons sentence calculation or loss of good-time credits  
☒ Probation, parole or supervised release  
☒ Other (explain): ACTUAL INNOCENCE; ILLEGAL EXECUTION OF SENTENCE

ILLEGAL PLACEMENT IN WRONG INSTITUTION; ILLEGAL PROBATION  
ILLEGAL SENTENCE; JUDICIAL BIAS; DENIAL OF PROGRAMS

2. (a) Name and location of the agency or court that made the decision you are challenging: US DISTRICT COURT OF NORTH DAKOTA

(b) Case or opinion number: 1516-GR-00184

(c) Decision made by the agency or court: CONTRARY TO CLEARLY ESTABLISHED LAW, THE COURT FOUND PETITIONER GUILTY OF AN UNCHARGED OFFENSE, IT HAD NO JURISDICTION TO HEAR, AND IN BIAS SAID "I DON'T WANT TO DEAL WITH TRANS GENDER ISSUES, AND ORDERED

ILLEGAL SENTENCE, DUE TO JUDICIAL BIAS, PREJUDICE TO THE COURT, PROSECUTORIAL

MUSKOGEE COUNTY, INEFFECTIVE ASSISTANCE

530

(d) Date of the decision: FEBRUARY 26, 2018

3. Did you appeal the decision to a higher agency or court? Yes ☒ No ☐

If yes, answer the following:

(a) First appeal:

- (1) Name of the agency or court: EIGHTH CIRCUIT COURT OF APPEALS
- (2) Date you filed: MARCH 07, 2018
- (3) Opinion or case number: 18-1504
- (4) Result: did NOT hear on MERITS, DUE TO INVALID PRE-WAIVER
- (5) Date of result: AUGUST 22, 2018
- (6) Issues raised: DISTRICT COURT COMMITTED REVERSIBLE ERROR, INCORRECTLY CALCULATING PRISONERS SENTENCING GUIDELINES; DISTRICT COURT ERROR BY IMPOSING A CATEGORICAL TERM OF SUPERVISED RELEASE,

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(b) Second appeal:

- (1) Name of the agency or court: SEVENTH CIRCUIT COURT OF APPEALS
- (2) Date you filed: MARCH 2021
- (3) Opinion or case number: 21-1495
- (4) Result: Failed to hear ACTUAL INNOCENCE ON MERITS; Failed to hear Judicial Bias; Newly Discovered Evidence; Breach of Contract Fraud upon court on MERITS; and failed to hear due process claims on MERITS, including loss of good character time
- (5) Date of result: 23 December 2022
- (6) Issues raised: Actual Innocence; Newly Discovered Evidence; Prosecution interference; Breach of contract; Illegal carry out of sentence; Loss of good character time; Ineffective Assistance of Counsel; Fraud upon the court; Denial of due process; Judicial Bias

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(c) Third appeal:

- (1) Name of the agency or court: UNKNOWN
- (2) Date you filed: UNKNOWN

(3) Opinion or case number: UNKNOWN(4) Result: UNKNOWN(5) Date of result: UNKNOWN(6) Issues raised: UNKNOWN

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

4. If you did not appeal the decision to a higher agency or court, explain why you did not: INA5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes ☒ No ☐

If yes, answer the following:

(a) Name of the agency or court: US DISTRICT COURT FOR THE CENTRAL DISTRICT OF ILLINOIS(b) Date you filed: SOMETIME IN 2020(c) Opinion or case number: 1920-CV-01412-USB(d) Result: RULED CONTRARY TO LONG ESTABLISHED LAW, FAILED TO HEAR ACTIVE INNOCENCE and  
SUBJECTIVE BIAS ON INTEREST, FAILED TO HEAR PROSECUTOR'S SUBCONDOIT FRAUD OF(e) Date of result: THE COURT IN PROCEEDING 1 and 2 legal INNOCENCE RETURN(f) Issues raised: ACTUAL INNOCENCE, JUDICIAL BIAS, FRAUD BY THE COURT, INTERFERE WITH  
OF LEGAL COUNSEL, FILING SENTENCE, ILLEGAL TERMS and conditions, DENIAL OF THE PLANS  
ILLEGAL EXECUTION OF SENTENCE, FAILURE TO CHANGE AN OFFENSE COURT LACKER  
JURISDICTIONS, BREACH OF CONTRACT, ILLEGAL ORDER OF CHILD BIRTH & PAYMENT

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

6. For this petition, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.**CAUTION:** To proceed in the federal court, you must ordinarily first exhaust (use up) your available administrative remedies on each ground on which you request action by the federal court.

PETITIONERS CONFINEMENT IS UNCONSTITUTIONAL DUE TO HER;

GROUND ONE: "ACTUAL INNOCENCE" OF 18 USC § 2421 (a). WITH NEWLY DISCOVERED EVIDENCE PREVIOUSLY UNAVAILABLE TO PETITIONER, WHO IS NOW BEING HELD ILLEGALLY, IN VIOLATION OF THE CONSTITUTION, LAWS, AND/OR TREATIES OF THE UNITED STATES. THE JUDICIAL BIAS AGAINST NATIVE AMERICANS, TRANSGENDER, AND OTHER NON-ANGLO-SAXON / NON-NORWEGIAN PERSONS, PREVENTS COURTS TO CLEARLY ESTABLISHED LAW IN *MORTENSEN V. UNITED STATES*, 322 U.S. 369 (1944); AND *TUTCHELL V. UNITED STATES*, 330 F.2d 759, 759-761 (9th Cir. 1964); REMAND, 84 S.Ct.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

PETITIONERS TRAVEL WAS SOLELY FOR THE PURPOSE OF LEGITIMATE EMPLOYMENT TRANSPORT CURBS/TRUCKS, NOT FOR ANY SEXUAL REASON. THE RESPONDENTS ADMITTED THAT IN THEIR RESPONSE BRIEF TO PETITIONERS 28 USC § 2255, (Case No. 1:16-CR-00184-PH-(Doc. 118, Pg. 6) (TR. SENT. AT 11)) THE MANU ACT PURSUANT TO 18 USC § 2421 (a) REQUIRES THE PETITIONER TO HAVE TRANSPORTED SOMEONE ELSE. SHE DID NOT TRANSPORT ANYONE. THE RESPONDENTS ADMITTED THIS IN THE SAME BRIEF. AT T.O.D. THE RESPONDENTS COMMITTED A FRAUD UPON THE COURT, AND TORTURED PETITIONER THROUGH HER SERIOUS MEDICAL CONDITIONS, OF GENDER DYSPHORIA, IN WHICH THEY PROMISED THE COURT, THEY WOULD PROVIDE HER HORMONAL THERAPY, AND TOLD THE JAILS NOT TO PROVIDE IT, DENIED HER MEDICAL, PSYCHOLOGICAL, EMOTIONAL TREATMENT WITH INTENT TO INDUCE A COERCED, UNKNOWING AND INVOLUNTARY PLEA, TO A STATUTORILY UNCHARGED OFFENSE. THEY HAD NO JURISDICTION OVER THE RESPONDENTS USED KNOWN PERJURIOUS TESTIMONY, AND EVIDENCE TO SEEK ILLEGAL SENTENCING, ENHANCEMENTS. RESPONDENTS ILLEGALLY DENIED PETITIONER HER DISCOVERY, TO FORCE A COERCED, INVOLUNTARY, AND UNKNOWING WAIVER OF TIME, WITH INTENT TO DENY DUE PROCESS, A FAIR AND SPEEDY TRIAL, AND INDUCE SEVERE EMOTIONAL RECORD POSITION WHICH THEIR PSYCHOLOGICAL EVALUATION IDENTIFIED IN THE BECK ANXIETY INDEX (BAI) - LONG 118-1, Pg. 1804, GRADE 6, 7 - SCALE OF 50 OUT OF 63 - "SEVERE" AND "CONCERNING" - E.D., THESE CONSTITUTIONAL VIOLATIONS RESULTED IN PETITIONERS WRONGFUL CONVICTION, ILLEGAL PLEA TO A NON-EXISTENT OFFENSE, ADDITIONALLY 18 USC § 2421 (a) REQUIRES THE RESPONDENTS TO STATE A FEDERAL OFFENSE, THAT RELIES UPON A VIOLATION OF A STATE OFFENSE IN THE STATE IT WAS TRAVELED TO AND COMMITTED IN. THEY DID NOT DO SO AND IT IS VOID FOR VAGUENESS, IN THE INDICTMENT OR INFORMATION. NONE OF THE REQUIRED ELEMENTS ARE MADE IN THE DEFECTIVE INDICTMENT. THE RESPONDENTS LIE TO THE COURT TO CAPTIVATE THE COURT ABOUT THE CHARGE, AND STATED IT WAS A "SEXUAL ASSAULT" (Doc. 118, Pg. 7) LATER RECALLING AND ADMITTING CONSENSUAL ADULT INCEST (Case No. 2:14-95 (7th Cir. Doc. 34, Pg. 20) WHICH IS NOT A FEDERAL OFFENSE.

(b) Did you exhaust all available administrative remedies relating to Ground One? Yes ☒ No ☐  
This denied Petitioner her rights to due process, equal protection, and a fair and speedy tribunal before an unbiased court and judge through infractions of civil and criminal penitentiaries, IN VIOLATION OF

(c) If yes, did you present the issue to:

☐ The Board of Immigration Appeals

☐ The Office of General Counsel

☐ The Parole Commission

☒ Other: The courts

PETITIONER ARGUES, SHE DID NOT COMMIT ANY MANU ACT OR OTHER FEDERAL OFFENSE CHARGED IN THIS CASE, SHE IS BEING ILLEGALLY HELD, AND WAS ILLEGALLY ARRESTED, DETAINED AND TORTURED IN AN UNKNOWNLY AND INVOLUNTARY PLEA, THE COURT HAD NO JURISDICTION TO CONVICT OR SENTENCE HER

(d) If you did not exhaust all available administrative remedies relating to Ground One, explain why:



PETITIONER'S CONVICTION, SENTENCE AND CHILD BIRTH REPAYMENT also  
UNCONSTITUTIONALLY void due to:

**GROUND TWO: JUDICIAL BIAS AND CORRUPTION IN PETITIONER'S PRE-TRIAL AND POST-CONVICTION, AND 28 USC § 2255 PROCEEDINGS. DENIAL OF SIXTH AMENDMENT RIGHT TO A FAIR AND UNBIASED TRIAL.**

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

The Judge Daniel L. Howell is Bias and corrupt, and circumvented Required Processes in the court to deny due process upon petitioner, because of his bias discrimination against intersex and/or transgender persons, Petitioner asserts that the Bias Judge was disqualified to preside over her proceedings, as he failed to do his duty as a Judge and protect Petitioner's constitutional rights, and prevent the Respondents from the torture, denial of due process, and equal protections by inflictions of cruel and unusual punishments, denial of a speedy trial, and fraud upon the court, on September 23, 2016 the Respondents promised the court "the hormone therapy has been approved and it's on its way here Honor", then told the judge not to provide it to induce severe emotional distress and anxiety, then failed to provide her with timely discovery prior to original trial date, to deny a speedy trial, then with the intent to induce a coerced, unknowingly and involuntarily plea. This did prejudice Petitioner. Then on June 7, 2017, at the status conference in the regards to the Respondents fraud upon the court and denial of the promised medically necessary treatments, rape, and constructive denial of legal counsel, and the ineffective assistance, and conflict of interest of Petitioner's counsel and her. The Judge had a Fed. Crim. P. 12 (b), (d) duty to Rule on these issues/motions of Petitioner and failed to do so, due to his bias upon intersex and/or transgender persons, which Petitioner asserts, she is. On February 27, 2018, the Bias Judge let Petitioner know why he failed to do his duty, and stated: "I don't want to deal with transgender issues", and failed to protect Petitioner pursuant to 28 CFR § 15.42 (c)(1) of the Prison Rape Elimination Act, and effectively sentencing her to a penalty of rape as punishment, as she has now been raped by 750 prison inmates and staff, as she is intersex and/or transgender female. This Bias did prejudice Petitioner, denied her due process, equal protections, a fair, speedy and unbiased trial, through cruel and unusual punishments in pre-trial and post-conviction proceedings in violation of

(b) Did you exhaust all available administrative remedies relating to Ground Two? Yes ☒ No ☐

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals The US Constitution, UN Convention Against Torture, The PREA, 18 USC §§ 2241, 2242, 2243, 2242, 2340, 249, 242, 1503, 1510, 1512, and
- ☐ The Office of General Counsel
- ☐ The Parole Commission The Racketeer Influenced Corrupt Organizations Act (RICO).
- ☒ Other: The courts

(d) If you did not exhaust all available administrative remedies relating to Ground Two, explain why:

PETITIONERS CONVICTION IS ILLEGALLY UNCONSTITUTIONAL AND VOID, DUE TO FRAUD UPON THE COURT, DENIAL OF DUE PROCESS, CRUEL AND UNUSUAL PUNISHMENTS

**GROUND THREE: MALICIOUS AND VINDICTIVE PROSECUTIONS** The PETITIONER ASSERTS HER DUE PROCESS AND EQUAL PROTECTIONS AND RIGHT TO A FAIR AND SPEEDY TRIBUNAL, THAT IS UNBIASED, WERE ALL VIOLATED PURSUANT TO THE U.S. CONSTITUTION PER AMENDMENTS 4, 5, 6, 8, 13, AND 14. THIS ALSO VIOLATES FEDERAL RULES OF COURT

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

PETITIONER ASSERTS THE RESPONDENTS PROSECUTION WAS MALICIOUS AND VINDICTIVE, BY CONSPIRING TO DEPRIVE THE RIGHTS OF PETITIONER IN VIOLATION OF 18 USC §§ 241 AND 242 THROUGH A FRAUD UPON THE COURT PERPETRATED BY AUSA MATTHEW GREENLEY, USMS DEPUTY LAURA BOLL, JUAN DELEON, DAVID BEHAN (FNU) FERGUSON. WHEN THEY (LAURA BOLL) PROMISED THE COURT "THE HORMONE THERAPY HAS BEEN APPROVED" AND ITS ON ITS WAY YOUR HONOR, THEN THEY TOLD JAIL ADMINISTRATORS AND HEALTH SERVICES THEY WOULD NOT PROVIDE IT, IMMEDIATELY AFTER COURT. (LAURA BOLL, (FERGUSON, JUAN DELEON, DAVID BEHAN) AT THE DIRECTION OF MATTHEW GREENLEY, FULLY AWARE, DUE TO GENDER OVSOPHORY, THIS WOULD INDUCE SEVERE EMOTIONAL, PSYCHOLOGICAL DECOMPOSITION, SEVERE ANXIETY, PAIN AND SUFFERING, AND POTENTIAL SELF-HARM AND SUICIDAL IDEATIONS, AND INABILITY TO FUNCTION OR ASSIST DEFENSE COUNSEL IN VIOLATION OF THE US CONSTITUTION. THE RESPONDENTS DENIED DUE PROCESS FURTHER BY INTERFERING WITH THE DUE ADMINISTRATION OF JUSTICE, IN A CRIMINAL PROCEEDING, TO INTERFERE WITH AN INVESTIGATION BY A FEDERAL JUDGE IN VIOLATION OF 18 USC §§ 1503, 1510, AND 1512, BY FURTHER LYING TO A GRAND JURY, LYING TO THE COURT FAILING TO PROVIDE DISCOVERY, KNOWN USE OF PERJURED EVIDENCE AND PERJURED TESTIMONY, THEY KNEW TO BE FALSE AND PERJURED, DECEIVING THE COURT INTO DENIAL OF A SPEEDY, FAIR, AND UNBIASED TRIAL ON OR BEFORE 30 DAYS AFTER ARREST, BY CHARGING A FALSELY ALLEGED VIOLATION (18 USC § 1512), THEN PUBLISHING A SUPPLEMENTAL ONE (18 USC § 242(b)) IN WHICH THEY DID NOT CHARGE AN OFFENSE AND HAD NO JURISDICTION, ON THE HOPS THEY WOULD LATER FIND THE TRANSFERRATION ELEMENT, UPON RE-CHARGING/RE-ARREST, AS THEY ADMITTED TO IN THEIR 28 USC § 2255 RESPONSE (DEC. 118, PAGE 17, LAST 3 LINES AT BOTTOM), IN WHICH THEY WOULD HAVE AGAIN CHARGED HER WITH AN OFFENSE THEY HAD NO ELEMENTS TO CHARGE HER WITH. THEN /AT SENTENCING/ USED PERJURED TESTIMONY AND EVIDENCE TO CONFUSE THE COURT AND OBTAIN ILLEGAL SENTENCING ENHANCEMENTS, THAT WERE PROVIDED

(b) Did you exhaust all available administrative remedies relating to Ground Three? Yes ☒ No ☐  
to not be, by petitioners defense counsel, during unknown and involuntary tortured, coerced, and fraud in the inducement of a plea agreement resulting in a breach of the specific performance of that contract.

(c) If yes, did you present the issue to: They also promised petitioners would go home immediately served, take care of her serious medical conditions, the torture would stop, and maybe do a year or two of supervised release. Through petitioners defense counsel, as none of the enhancements apply to petitioners case, which her defense counsel promised to her.

☐ The Board of Immigration Appeals  
☐ The Office of General Counsel  
☐ The Parole Commission  
☒ Other: the courts

(d) If you did not exhaust all available administrative remedies relating to Ground Three, explain why:

**GROUND FOUR: ILLEGAL SENTENCE ENHANCEMENTS**, Pursuant to: MATHIS V. UNITED STATES, 579 US 500, 509 (2016), USSEN 501.2 CNT NL; 5TH, 6TH, AND 8TH AND 14TH AMENDMENTS TO THE US CONSTITUTION, and SANTABELLO V. NEW YORK, 404 US 257, 263 (1971); BRADY V. UNITED STATES, 329 US 742, 750-756 (1970); UNITED STATES V. HAYMOND, 137 S. CT 2369

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

PETITIONER ASSERTS THAT NONE OF THE SENTENCING ENHANCEMENTS APPLY TO HER, AND THEY ARE A BREACH OF THE UNKNOWING, INKONTINENT, COERCED, AND TORTURED PLEDGE. PETITIONER'S BASE OFFENSE 1514, AND NEWLY DISCOVERED EVIDENCE PROVIDED BY RESPONDENTS, PROVES NO FORCE, NO SEXUAL ASSAULT, NO CUSTODY, CARE, OR SUPERVISORY CONTROL, NO MINORS IN CASE, NO SORNA, AS THE USSC 501.2 CNT NL USER OFFENSE MEANS AN OFFENSE PERPETRATED AGAINST A MINOR. ALL PARTIES WERE OVER 18. THE RESPONDENTS ADMITTED THAT PETITIONER NEVER TRANSPORTED ANYONE IN THE CASE (DOC. 118, Pg. 6 (CTR. SENT. AT 10)). THE PURPOSE WAS FOR LEGITIMATE EMPLOYMENT TRANSPORTING CASES, NOT FOR SEX. NOT FOR A COMMERCIAL SEX PURPOSE, (USSC PROBS BASE OFFENSE BY 8, LEAVING A BASE OFFENSE OF 14 WITH 2 POINT ACCEPTANCE OF RESPONSIBILITY). THESE ENHANCEMENTS ONLY APPLY TO A CASE INVOLVING A MINOR. THIS ILLEGAL USE OF PERJURED EVIDENCE AND TESTIMONY BREACHED THE PLEDGE AND RESULTED IN A SUBSTANTIALLY UNREASONABLE SENTENCE, DENIED DUE PROCESS, A FAIR AND SPEEDY TRIAL, TORTURE, AND PREJUDICED PETITIONER BY CONVERTING HER PROMISED TIME SERVED, AND IMMEDIATE RELEASE, INTO AN ILLEGALLY BEYOND MAXIMUM SENTENCE. BUREAU SENTENCE 358.3 (K) WAS ILLEGALLY APPLIED, AND VIOLATES 5TH AND 8TH AMENDMENTS, AND ONLY APPLIES TO A 2421(G) INVOLVING A MINOR. THIS WAS ADULTS ONLY. WALSH ACT WAS ILLEGALLY APPLIED. WALSH ONLY APPLIES TO CASES INVOLVING MINORS. SORNA ONLY APPLIES TO CASE INVOLVING A MINOR, CUSTODY, CARE, SUPERVISORY CONTROL ONLY APPLIES TO MINORS. THIS PREJUDICED THE PETITIONER BY EXTENDING HER SENTENCE OF TIME SERVED, AND A YEAR OR TWO OF SUPERVISION THAT ALSO PROMISED TO HER BY HER DEFENSE COUNSEL WHO ALSO PROMISED NONE OF THE FOREGOING ENHANCEMENTS APPLIED TO HER CASE AS SHOWN IN USSC, FURTHER PREJUDICED HER BY A BREACH OF COERCED INKONTINENT/UNKNOWN PLEDGE, RESULTING IN A MAXIMUM SENTENCE AND AN ILLEGAL LIFETIME SUPERVISION, AND SORNA AND WALSH ONLY PLACES PETITIONER IN DOUBLE JEOPARDY OF AN ABOVE MAXIMUM ALLOWED BY LAW IN CASE OF A RE-ENTRY. YES ☒ NO ☐

(b) Did you exhaust all available administrative remedies relating to Ground Four? YES ☒ NO ☐  
FOR 18 USC §2421(a) WHICH IS 10 YEARS, WHEN SHE WAS SENTENCED TO THAT PLUS AN EFFECTIVE LIFE SENTENCE BY STATING "IF I COULD GIVE YOU LIFE I WOULD!"

(c) If yes, did you present the issue to:

☐ The Board of Immigration Appeals

☐ The Office of General Counsel

☐ The Parole Commission

☒ Other:

THE COURTS FOR LIFE, WHICH OFFENSE COUNSEL PROMISED DID NOT APPLY. THEREFORE RENDERING HIS ASSISTANCE INEFFECTIVE, DUE TO HIS LIES AND CONFLICT OF INTEREST, AND EFFECTIVELY DID IN VIOLATION OF THE LAW, BECAUSE OF HIS PERSONAL BIAS UPON PETITIONER.

(d) If you did not exhaust all available administrative remedies relating to Ground Four, explain why:

Please answer these additional questions about this petition:

7. Are you challenging your conviction or sentence in any of the grounds raised above? Yes ☒ No ☐  
 (Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless the § 2255 motion is legally inadequate or ineffective.)

If yes, answer the following:

- (a) Have you filed a motion under 28 U.S.C. § 2255? Yes ☒ No ☐

If yes, answer the following:

- (1) Name of court: DISTRICT OF NORTH DAKOTA  
 (2) Case number: 1:19-CV-155  
 (3) Opinion or case number: 1:19-CV-155  
 (4) Result: Obstructed by Judicial Bias and Corruption.  
 (5) Date of result: \_\_\_\_\_  
 (6) Issues raised: \_\_\_\_\_

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

- (b) Explain why the remedy under § 2255 is inadequate or ineffective: The corrupt and Bias Judge intentionally Rides contrary to clearly established Law and is discriminatory upon Transgender's, Illegal sentencing enhancements, Illegal terms and conditions of supervision, denial of due process in disciplinary proceedings, sentenced to wrong institution, US Probation Service release plans for extraordinary and compelling reasons, being denied first step act programming for early release, being transferred to wrong institution to force rate and torture upon me, Illegal execution of sentence, sentence being carried out for 100 offense.
8. If this case concerns immigration removal proceedings, answer the following:

- (a) Date you were taken into immigration custody: N/A  
 (b) Date of removal or reinstatement order: N/A  
 (c) Did you file an appeal with the Board of Immigration Appeals? Yes ☐ No ☒ N/A  
 (1) Date you filed: N/A  
 (2) Case number: N/A



GRAND FIVE, The PETITIONER WAS TORTURED INTO A COERCED UNKNOWNING AND INVOLUNTARY PLEA AGREEMENT FOR CONDUCT IN WHICH THE US SUPREME COURT AND NINTH CIRCUIT HOLD TO NOT BE A CRIMINAL OFFENSE UNDER THE MANN ACT 18 USC § 2421 (C), PURSUANT TO MORTENSEN V. UNITED STATES, 322 US 369 (1944) AND TWITCHELL V. UNITED STATES, 330 F.2d 759, 759-761 (9th Cir. 1964); REMAND, 84 S.Ct. 1359, 1360 (1964). A guilty plea, a [Petitioner] may waive such a constitutional right the reviewing court. CLASS V, UNITED STATES, 139 S.Ct. 703, 200 LEd. 2d 37, 43-44 (2013). PETITIONER IS BEING UNCONSTITUTIONALLY ILLEGALLY HELD FOR CONDUCT THAT IS NOT A FEDERAL CRIMINAL OFFENSE, IN VIOLATION OF THE US CONSTITUTION'S AMENDMENTS 4, 5, 6, 8, 13, 14, and the Administrative Procedures Act PURSUANT TO 5 USC §§ 202, 704, 706, FOR ARBITRARY AND CAPRICIOUS ACTIONS BY GOVERNMENT AGENTS TO ILLEGALLY DENIED RIGHT TO DUE PROCESS AND EQUAL PROTECTION. The UNITED NATIONS' CONVENTION AGAINST TORTURE, NELSON MANDELA RULE, and the CAH Rights of Institutionalized Persons Act (CIRIPA). The COURT NOR RESPONDENTS had JURISDICTION TO CONVICT OR SENTENCE OR PROSECUTE PETITIONER.

#### (A) SUPPORTING FACTS:

The PETITIONER ASSERTS THAT THE RESPONDENTS COMMITTED A FRAUD UPON THE COURT AND LIED TO A GRAND JURY TO ILLEGALLY ARREST, DETAIN, VINDICTIVELY PROSECUTE, AND ILLEGALLY CONVICT HER OF CONDUCT THAT IS NOT A FEDERAL CRIMINAL OFFENSE. THE RESPONDENTS DID NOT HAVE ANY JURISDICTION TO ILLEGALLY ARREST, ILLEGALLY DETAIN, OR ILLEGALLY CONVICT PETITIONER, NEITHER DID THE US DISTRICT COURT HAVE JURISDICTION TO IMPOSE A CONVICTION OR SENTENCE UPON HER. PETITIONER HAS NEWLY DISCOVERED EVIDENCE UNAVAILABLE TO HER IN HER PRETRIAL PROCEEDINGS, AND THE RESPONDENTS HAVE ADMITTED EVIDENCE PROVING PETITIONER'S INNOCENCE, AND LEGAL INNOCENCE, IN SUBSEQUENT HABEAS PROCEEDINGS, THAT SHOW THEIR DECEPTION AND FRAUD UPON THE COURT, TO DECEIVE THE COURT, BY AN OFFICER OF THE COURT, 1. TO VIOLATE THE MANN ACT 18 USC § 2421(c) A PERSON MUST TRANSPORT SOMEONE ELSE, SO, THE PERSON BEING TRANSPORTED IS THE SUPPOSED VICTIM - PETITIONER DID NOT TRANSPORT ANYONE, THE RESPONDENTS ADMITTED THIS IN HER 28 USC § 2255 PROCEEDINGS (DOC. 118, Pg. 6, LINKS 10, 11, 12) CANYA FLY TRANSPORTED HERSELF, WHILE PETITIONER WAS ENGAGED IN A LEGITIMATE EMPLOYMENT PURPOSE, NOT FOR ANY SEX ACT. CANYA FLY WOULD PICK UP AND TRANSPORT PETITIONER TO THE "NEXT JOB OR HOME" ETC.

THE PLEA AGREEMENT WAS COERCED, TORTURED, UNKNOWNING AND INVOLUNTARY, AND ACCORDING TO THE RESPONDENTS, WAS FOR A TIME PERIOD PRIOR TO ANY ALLEGED TRIPS IN INTERSTATE COMMERCE, IN WHICH WERE STATED IN THE EVIDENCE (i.e. TRIP TO VIRGINIA - LATER RECALLED BY CANYA FLY AND RESPONDENTS - THAT OCCURRED IN JUNE 2016). AS IT STATES "BETWEEN 1 AND 2 AROUND FEBRUARY 2016 AND 14 OR ABOUT MAY 2016". CANYA FLY HAD NOT TRAVELLED AT ALL OUT OF STATE WITH PETITIONER DURING THIS PERIOD FOR ANY SEX, AND WAS AT HOME IN RUBY NORTH DAKOTA WITH HER FAMILY. CANYA FLY CONCEIVED MASON FLY ON OR ABOUT APRIL 8, 2016, AS PROVEN BY NEWLY DISCOVERED EVIDENCE PROFFERED BY THE RESPONDENTS PREVIOUSLY UNAVAILABLE TO PETITIONER, THAT CANYA FLY GAVE BIRTH ON JANUARY 13, 2017. (DOC. 118, PAGE 17, LINE 6), WHICH PROVES MASON FLY WAS CONCEIVED ON APRIL 8, 2016, 40 WEEKS, OR 280 DAYS AS CANYA FLY PLACED TO TERM" (DOC. 118, PAGE 15, LINE 4 - TRANSCRIPT SENTENCING AT 54-55). THIS PROVES THE CONCEPTION OCCURRED PRIOR TO ANY TRIPS FOR THE LEGITIMATE EMPLOYMENT WITH AMERIFLYS AND NO INTERSTATE TRANSPORTATION HAD HAPPENED, THIS CASE WAS BROUGHT BECAUSE "E.E. DISCOVERED THE PREGNANCY IN JULY 2016, AND IT WAS REPORTED TO LAW ENFORCEMENT" (DOC. 118, PAGE 6, LN 22). THIS IS NOT A FEDERAL OFFENSE, AS NO TRANSPORTATION HAD TAKEN PLACE, NOR ANY INTENT TO DO SO FOR SEX. CANYA FLY WAS IN NORTH DAKOTA AND HAD NOT LEFT. PETITIONER WAS PROMISED BY COERCION THAT THE TORTURE WOULD STOP, SHE WOULD GO HOME TIME SERVED, MAYBE DO A YEAR OR TWO OF SUPERVISED RELEASE, AND TAKE CARE OF HER HORMONE THERAPY AND RAYONADO BY DEFENSE COUNSEL WHO LIED IN THE COERCION. THIS IS A BREACH OF CONTRACT, AND A CONFLICT OF INTEREST AND VIOLATION OF THE CONSTITUTION PER 5TH, 8TH, 14TH, 14TH AMENDMENTS.

GROUND SIX: DENIAL OF DUE PROCESS IN A CRIMINAL PROCEEDING IN VIOLATION OF  
 THE FIFTH AND FOURTEENTH AMENDMENTS TO THE U.S. CONSTITUTION, THROUGH PROSECUTORIAL  
 MISCONDUCT, FRAUD UPON THE COURT, JUDICIAL BIAS, TORTURE, INEFFECTIVE ASSISTANCE  
 OF COUNSEL, CONSTRUCTIVE DENIAL OF LEGAL COUNSEL, DENIAL OF MEDICAL TREATMENTS  
 WITH INTENT TO TORTURE AND COERCE INTO AN UNKNOWING AND INVOLUNTARY PLEA,  
 DENIAL OF A FAIR, SPEEDY, AND UNBIASED TRIBUNAL, AND DELIBERATE FAILURE OF A  
 BIAS AND CORRUPT JUDGE TO RULE ON PETITIONER'S MOTIONS AS REQUIRED BY FEDERAL  
 RULES OF CRIMINAL PROCEDURE 12 (b)(1), ACTING IN A SUBVERSION OF THE SYSTEM  
 IN BIAS CORRUPTION, BECAUSE HE "DON'T WANT TO DEAL WITH TRANSGENDER ISSUES",  
 DUE TO THIS JUDICIAL AND PROSECUTORIAL CORRUPTION, BIAS, COLLUSION, AND INTERFERENCE  
 "SINCE THE VERY INITIATION OF THE PROCEEDINGS AGAINST [PETITIONER] OPERATED TO DEPRIVE [HER]  
 DUE PROCESS OF LAW". CLASS V, UNITED STATES, 138 S.Ct. 708; 2018 US LEXIS 1378 IN  
 AT 49, (2018).

(a) SUPPORTING FACTS:

THE PETITIONER WAS ENTIRELY DENIED DUE PROCESS AND EQUAL PROTECTIONS THROUGH-  
 OUT HER CRIMINAL PROCEEDINGS, DUE TO BIAS AND CORRUPT ACTIONS BY THE U.S. DISTRICT  
 CHIEF JUDGE, THE PROSECUTION, AND THEIR AGENTS, AND THE PETITIONER'S OWN DEFENSE COUNSEL.  
 THE BIAS AND CORRUPT JUDGE COLLUDED IN BIAS CORRUPTION WITH THE RESPONDENTS  
 PROSECUTION, BY INTENTIONALLY FAILING TO DO HIS DUTY AS A FEDERAL JUDGE AND REFUSING  
 TO RULE ON PETITIONER'S MOTIONS, THAT RESPONDENTS PROSECUTION HAD COMMITTED A  
 FRAUD UPON THE COURT, EFFECTIVELY ACTED IN CONTEMPT, AND SUBVERTED THE COURTS  
 PROCESSES, AND CONSTRUCTIVELY DENIED PETITIONER LEGAL COUNSEL, AND WERE  
 ILLEGALLY UNCONSTITUTIONALLY TORTURING HER THROUGH RAPE AND DENIAL OF MEDICALLY  
 NECESSARY TREATMENTS, CARE, MEDICATIONS, AND ACCOMMODATIONS. THIS DID  
 PREJUDICE PETITIONER BY TIPPING THE SCALE IN FAVOR OF THE RESPONDENTS  
 PROSECUTION, AND ALLOWING THEM TO FORCE PETITIONER INTO AN UNKNOWING AND  
 INVOLUNTARY PLEA AGREEMENT AND DEPRIVING PETITIONER OF A SPEEDY TRIAL, TO  
 KEEP HER IN AN OVERLOAD OF MENTAL, PHYSICAL, AND EMOTIONAL PAIN, ANXIETY, AND  
 GENDER DYSPHORIA, AS CLEARLY SHOWN BY THEIR BIAS UNQUALIFIED PSYCHOLOGIST  
 EVALUATION. CDOC, 118-1, PAGE 8, PARAGRAPH 7) WHERE SHE CONTINUED TO ILLEGALLY UNCONSTITU-  
 TIONALLY AND UNPROFESSIONALLY MISGENDER PETITIONER IN OPPOSITION TO WPATH S.O.E.,  
 YET, SHE STILL FOUND SEVERE MENTAL INSTABILITY WITH AN ANXIETY LEVEL OF 50 OUT  
 OF 63, SHOWING EXTREMELY SEVERE LEVELS, DUE TO SUCH PROLONGED DEPRIVATION  
 OF PETITIONER'S MEDICALLY NECESSARY TREATMENTS, INCLUDING GENDER AFFIRMING  
 HORMONE REPLACEMENT THERAPY, WHICH RESPONDENTS PROMISED THE COURT ON SEPTEMBER 22,  
 2016 AT BOND HEARING, THAT THEY WOULD PROVIDE, THEN IMMEDIATELY TOLD SAILS NOT TO  
 PROVIDE IT, THEN, ACCORDING TO DEFENSE COUNSEL, DENIED DISCOVERY, TO INDUCE A WAIVER  
 OF TIME, AND THEN EVER TIME INDUCE A CORRECT PLEA. THE RESPONDENTS PROSECUTION,  
 FAILED TO STATE AN OFFENSE IN THE INDICTMENT OR INFORMATION, DENIED TO DAY RULE,  
 TORTURED PETITIONER, TRANSFERRED HER REPEATEDLY TO DENY MEDICAL CARE AND LEGAL  
 COUNSEL, AND EVERY ONE INVOLVED HAD PERSONAL BIAS AND HATE UPON INTERSEX AND/OR  
 TRANSGENDER PERSONS. ON JUNE 7, 2017 AT STATUS CONFERENCE, IN REGARDS TO THE FOREGOING ISSUES  
 AND EFFECTIVE DENIAL OF PETITIONER'S RIGHTS, THE JUDGE HAD A DUTY TO RULE ON THIS, TO PROTECT  
 PETITIONER'S CONSTITUTIONAL RIGHTS, AND INTENTIONALLY ILLEGALLY FAILED TO DO SO, AND AT THE  
 SENTENCING HEARING, HE REVEALED WHY BY STATING, IN BIAS DISCRIMINATION DISQUALIFYING HIM  
 AS A JUDGE: "I DON'T WANT TO DEAL WITH TRANSGENDER ISSUES".  
 THIS DENIAL OF DUE PROCESS AND EQUAL PROTECTIONS PREJUDICED PETITIONER, WHO IS ACTUALLY  
 AND LEGALLY INNOCENT BY RESULTING IN HER ILLEGAL IMPRISONMENT OF A STATUTORY  
 UNCHARGED OFFENSE. THE COURT, NOR PROSECUTION HAD ANY JURISDICTION TO ORDER,



GROUND SEVEN: INEFFECTIVE ASSISTANCE OF LEGAL COUNSEL; IN VIOLATION OF THE U.S. CONSTITUTION UNDER THE FIFTH AND SIXTH AND FOURTEENTH AMENDMENTS.  
 The PROSECUTION CONSTRUCTIVELY DENIED LEGAL COUNSEL, RENDERING IT UNAVAILABLE, BY REPEATATIVE TRANSFERS, FAILING TO PROVIDE TIMELY DISCOVERY, USING KNOWN FALSE AND PERJURIOUS EVIDENCE AND TESTIMONY, AND THROUGH DISCRIMINATION, BIAS AND PREJUDICE DENYING MEDICALLY NECESSARY TREATMENTS RENDERING THE PETITIONER UNABLE TO ASSIST HER LEGAL COUNSEL, WHO WAS BIAS UPON HER STATUS AS AN INTERSEX AND/OR TRANSGENDER FEMALE, and Gender Dysphoria, and Need for PROMISED GENDER AFFIRMING TREATMENTS, THE RESPONDENTS PROSECUTION LIE IN A CONSPIRACY TO DENY RIGHTS, AND FRAUD UPON THE COURT, PROMISING TO PROVIDE THEM. DEFENSE COUNSEL WAS INEFFECTIVE BY ENTERING A PLEA UPON PETITIONER, WHO IS ACTUALLY INNOCENT, AND WHOM HE KNOWS TO BE ACTUALLY AND LEGALLY INNOCENT. HE WAS INEFFECTIVE BY ALLOWING THE FOREGOING ACTIONS, AND TORTURE, AND DENIAL OF DUE PROCESS AND EQUAL PROTECTIONS UPON PETITIONER, DEFENSE COUNSEL WAS FURTHER INEFFECTIVE BY HIS PERSONAL HATE AND BIAS UPON PETITIONER AND HER INTERSEX AND/OR TRANSGENDER FEMALE STATUS AND WAS VERY VIOLENT AND THREATENING TO HER. PETITIONER DID MOTION THE COURT TO PROVIDE PETITIONER WITH NEW AND ADDITIONAL LEGAL DEFENSE COUNSEL, DUE TO HIS INEFFECTIVENESS, AND FAILURE TO REPRESENT AND PROTECT PETITIONER AND HER CONSTITUTIONAL RIGHTS.

#### (C) SUPPORTING FACTS:

The PETITIONER'S LEGAL DEFENSE COUNSEL WAS INEXPERIENCED IN THE TYPE OF CASE SHE WAS WRONGFULLY ACCUSED OF, ONLY A LITTLE OVER TWO YEARS AT BAR OUT OF LAW SCHOOL, AS HE INFORMED HER. HE ATTEMPTED TO GET HER TO PLEA TO AN OFFENSE SHE WAS ACTUALLY AND LEGALLY INNOCENT OF, IN A DEFECTIVE INDICTMENT THAT IS VOID FOR VAGUENESS, AND DOES NOT CHARGE A FEDERAL OFFENSE; WITHOUT FIRST INVESTIGATING HER DEFENSE PRIOR TO NOVEMBER 15, 2016, IN WHICH HE CLAIMED THAT THE PROSECUTION HAD NOT PROVIDED DISCOVERY PRIOR TO TRIAL. THIS HE BECAME VIOLENT AND FORCED HER BY COERCION INTO A WAIVER OF TIME, ON OR ABOUT 12 NOVEMBER 2016, AT LAKE REGION JAIL; WHERE E.D. ROBERT SCHOTMAN WAS A WITNESS TO HIS OBNOXIOUS, VIOLENT, AND THREATENING Demeanor, AND ACTIONS, INCLUDING POUNDING VIOLENTLY ON THE DOOR, AND YELLING. DEFENSE COUNSEL SAID HE DID NOT KNOW ANYTHING ABOUT PETITIONER'S CASE, AND HE WOULD BE FORCED TO REPRESENT HER UNDER INCOMPETENT CIRCUMSTANCES. HE PROMISED PETITIONER HE WOULD ENSURE RESPONDENTS PROSECUTION WOULD PROVIDE HER WITH HER MEDICALLY NECESSARY TREATMENTS PROMISED BY RESPONDENTS IN A FRAUD UPON THE COURT ON SEPTEMBER 27, 2016, AND TOLD JAILS NOT TO PROVIDE IT TO HER, WITH INTENT TO DENY DUE PROCESS UPON HER. DEFENSE COUNSEL LIED, AND NEVER HONORED HIS PROMISES TO PETITIONER. THIS IS A CONFLICT OF INTEREST. HE FAILED TO FILE SEVERAL MOTIONS ON PETITIONER'S BEHALF, INCLUDING A WRIT OF HABEAS CORPUS, FEDERAL RULES OF CRIMINAL PROCEDURE 29, TRANSFER OF VENUE, AND MOTION FOR INJUNCTION, TO PROTECT HER RIGHTS. HE ALSO FAILED TO FILE A RULE 412 MOTION EARLY ON IN PROCEEDINGS, ONLY SLIPPING IN PROSECUTOR'S A PLEA AND AGREEMENT. PETITIONER REPEATEDLY TOLD HIM SHE DID NOT WANT TO DO THIS IN ITSELF IS A CONFLICT OF INTEREST RENDERING SERVICES INEFFECTIVE, IN VIOLATION OF THE FIFTH AND SIXTH AMENDMENTS. PETITIONER'S LEGAL COUNSEL WAS INEFFECTIVE.

GROUND EIGHT DENIAL OF SPEEDY TRIAL IN VIOLATION OF SIXTH AMENDMENT PURSUANT TO UNITED STATES V. EWELE, 388 US 116, 120 (1966), AS IT WAS "PURPOSEFUL" AND "OPPRESSIVE!!", TO DENY DUE PROCESS IN VIOLATION OF THE FIFTH AND FOURTEENTH AMENDMENTS, BY COMMITTING A FRAUD UPON THE COURT TO INDUCE SEVERE "ANXIETY" IS THROUGH LONG TERM DENIAL OF PROMISED TO THE COURT MEDICALLY NECESSARY TREATMENTS FOR INTERSEX RELATED GENDER DYSPHORIA, RAYNAUD'S DISEASE AND CHRONIC PAIN, IN VIOLATION OF THE FIFTH, SIXTH, EIGHTH, AND FOURTEENTH AMENDMENTS, STATE AND FEDERAL VULNERABLE ADULT LAWS, AND THE CONVENTION AGAINST TORTURE, THE NELSON MANDELA RULE, AND THE CONVENTION AGAINST DISCRIMINATION AGAINST ALL WOMEN, UNDER UNITED NATIONS INTERNATIONAL LAWS, TREATIES, AND THE U.S. CONSTITUTION,

### (a). SUPPORTING FACTS:

The Respondents Prosecution DEPRIVED PETITIONER HER RIGHT TO A FAIR, UNBIASED, AND SPEEDY TRIAL, BY ILLEGALLY UNCONSTITUTIONALLY ARRESTING HER ON A CHARGE OF 18 USC § 1512. KNOWING THEY LIED TO A GRAND JURY TO LATER OBTAIN AN INDICTMENT, PETITIONER, WAS ARRESTED WITHOUT A WARRANT IN HAND, LATER OBTAINED ABOUT LATER DURING INTERROGATION AT IDAHO FALLS PD. THIS UPON A CHARGE RESPONDENTS KNEW THEY DID NOT HAVE ANY ELEMENTS TO SECURE THIS ARREST ON JULY 15, 2016. THEY ILLEGALLY EXTRADITED HER, PREVENTING ANY CONTACT WITH A LAWYER FOR APPROXIMATELY 50-60 DAYS, FROM JAIL TO JAIL THROUGH SEVERAL STATES, THEN ONCE ARRIVED TO COURT ON DAY 69 OF THE 70 DAY SPEEDY TRIAL RULE, WITHDREW THE ORIGINAL 18 USC § 1512 CHARGE, THEY HAD NO ELEMENTS TO SUPPORT AND IN THE VIOLATION OF THE RULE OF SPECIALTY CHARGED HER WITH 18 USC § 2421 (a) WITH NO ELEMENTS, NO JURISDICTION, AND LEFT VOID FOR VAGUENESS, AND WITHOUT THE STATUTORILY REQUIRED STATE OFFENSE IN WHICH WAS VIOLATED TO CHARGE A MANDATE ACT OFFENSE, AS IT IS NOT A STAND ALONE CHARGE. THE RESPONDENTS ACTING IN A CONSPIRACY TO DEPRIVE RIGHTS, THEN COMMITTED A FRAUD UPON THE COURT BY PROMISING TO PROVIDE PETITIONER'S HORMONE THERAPY FOR HER INTERSEX RELATED GENDER DYSPHORIA, AND RAYNAUD'S DISEASE, THEN TELLING JAILS NOT TO PROVIDE IT TO HER, WITH THE INTENT TO INDUCE SEVERE EMOTIONAL DISTRESS, ANXIETY, GENDER DYSPHORIA, AND RENDER HER MENTALLY, EMOTIONALLY, AND PHYSICALLY INCAPACITATED AND EFFECTIVELY UNABLE TO ASSIST LEGAL COUNSEL IN HER CASE. THE RESPONDENTS HAD AN INTENT TO TORTURE PETITIONER BY OVERBEARING HER WILL OVER TIME INTO A COERCED UNKNOWING INVOLUNTARY PLEA. THE JUDGE HAD A DUTY TO DISMISS THE NEW CHARGE ON SEPTEMBER 23, 2016 FOR 70 CONSECUTIVE DAYS OF INCARCERATION. THIS SHOULD HAVE RESULTED IN A DOUBLE DISMISSAL WITH PREJUDICE. THEN ON OCTOBER 13, 2016 UPON 90 CONSECUTIVE DAYS OF INCARCERATION ON A STATUTORILY UNCHARGED OFFENSE, PETITIONER WAS REQUIRED PER SPEEDY TRIAL ACT UNDER § 3164 TO BE RELEASED ON BOND. THE COURT FAILED TO DO ITS REQUIRED DUTY TO RELEASE PETITIONER, YET DUE TO BIAS PREJUDICE AND CORRUPT COLLUSION WITH THE PROSECUTION FAILED TO DO SO. THIS RESPONDENTS INTENTIONALLY CONFUSED THE COURT INTO BELIEVING THEY COULD ILLEGALLY UNCONSTITUTIONALLY HOLD HER INDEFINITELY, TO OVER TIME INDUCE A PLEA, OR REPENTEDLY CHARGE HER WITH OFFENSES WITHOUT ANY ELEMENTS, TO KEEP HER IN JAIL, DESTROY HER LIFE, FAMILY, HEALTH, BUSINESS, CREDIT, AND FINANCIAL STANDING. THIS SIGNIFICANTLY PREJUDICED PETITIONER, BY TORTURING HER INTO A PLEA THAT IS UNKNOWING AND INVOLUNTARY, THROUGH PURPOSEFUL AND OPRESSIVE ILLEGAL INCARCERATION FOR AN EXTENDED PERIOD WHILE DENYING MEDICALLY NECESSARY CARE IN VIOLATION OF THE U.S. CONSTITUTION.



Ground Nine: ILLEGAL SENTENCING ENHANCEMENTS OBTAINED BY PROSECUTIONS ILLEGAL USE OF KNOWN PERJURIOUS AND FALSE STATEMENTS AND EVIDENCE IN VIOLATION OF BRADY V. MARYLAND, 373 US 83 (1963); Giglio V. UNITED STATES, 405 US 150 (1972); MATTHEWS V. UNITED STATES, 579 US 500 (2016); Apprendi V. New Jersey, 530 US 466 (2000); UNITED STATES V. HAYMOND, 139 S. CT 2369 (2019); and Santobello V. New York, 404 US 257, 213 (1971). These illegal misconduct actions of the Respondents Prosecution violates the Fifth Amendment, Sixth, and Fourteenth Amendment of the United States Constitution, and is a Breach of the Illegality, Torture, Coerced, Unknowing, and Involuntary Plea agreement Contract. The Respondents Prosecution Illegally presented KNOWN FALSE AND PERJURIOUS EVIDENCE AND TESTIMONY FROM AN OLD CASE IN WHICH, WAS A STATE OFFENSE, THAT DID NOT RESULT IN A CONVICTION INVOLVING BRENDA PINKETOWNSEND, WHO HAD PREVIOUSLY BEEN FOUND AND ADMITTED TO LYING IN REGARDS TO THE CLAIMS, PETITIONERS LEGAL DEFENSE COUNSEL PROMISED HER, AS PART OF A COERCED, INVOLUNTARY, AND UNKNOWING PLEA AGREEMENT CONTRACT, WOULD NOT BE ADMITTED, DISCUSSED, OR BROUGHT IN, OR MENTIONED. THIS RESULTED IN AN ILLEGAL BREACH OF CONTRACT, RENDERING IT NULL AND VOID. PETITIONER IS ACTUALLY INNOCENT OF THE PENALTY. SAWYER V. WHITLEY, 505 US 333, 341 (1992).

(a) SUPPORTING FACTS:

THE RESPONDENTS PROSECUTION ILLEGALLY, KNOWINGLY, AND WILLFULLY USED KNOWN FALSE AND PERJURIOUS EVIDENCE, INFORMATION AND STATEMENTS, AND TESTIMONY AT SENTENCING TO OBTAIN ILLEGAL, UNCONSTITUTIONAL, AND UNAUTHORIZED SENTENCING ENHANCEMENTS, IN WHICH PETITIONER WAS PROMISED BY HER DEFENSE COUNSEL WOULD NOT BE USED, BROUGHT IN, OR MENTIONED IN THE CASE NOR DID THE SENTENCING ENHANCEMENTS APPLY TO PETITIONERS CASE, IN THE TORTURED, COERCED, UNKNOWING, AND INVOLUNTARY PLEA AGREEMENT, THAT IS REQUIRED TO HAVE SPECIFIC PERFORMANCE. THIS ILLEGAL DENIAL OF DUE PROCESS, EQUAL PROTECTION AND DENIAL OF A FAIR AND UNBIASED TRIBUNAL, WAS A BREACH OF CONTRACT, AND A FRAUD IN THE INDUCEMENT.

THE PETITIONERS DEFENSE COUNSEL PROMISED HER, THAT NONE OF THE ENHANCEMENTS APPLIED TO HER CASE, LATER CONFIRMED ON THE RECORD AT SENTENCING, BY HIS OBJECTIONS TO THEIR ILLEGAL APPLICATION, BY THE BIAS AND CORRUPT JUDGE AT SENTENCING, WHO SAID HE WOULD "MAKE THEM APPLY ('WE'LL SEE ABOUT THAT')". THIS IS CLEAR ERROR, THAT HAS PREJUDICED PETITIONER, BY RESULTING IN A MAXIMUM SENTENCE, PLUS ABOVE GUIDELINES, AND OUTSIDE OF CONTRACTS SPECIFIC PERFORMANCE TERM OF SUPERVISION OR "LIFE". PETITIONER SPECIFICALLY STATED THAT SHE WOULD NOT SIGN THE AGREEMENT IF SORNA APPLIED, IF LIFETIME SUPERVISION APPLIED, OR IF SEX OFFENDER, OR WAISH ACT APPLIED, HER DEFENSE COUNSEL PROMISED THEY DID NOT APPLY TO HER CASE, AS NO MINORS WERE INVOLVED, AND PROMISED SHE "WOULD GO HOME TIME SERVED, THE TORTURE WOULD STOP AND SHE WOULD BE ABLE TO GET HER MEDICALLY NECESSARY HORMONE THERAPY" TO CARE FOR HER INTERSEX RELATED GENDER DYSPHORIA AND RAYNAUDS DISEASE. HE SHOWED THIS IN UNITED STATES SENTENCING GUIDELINES, 501.2 CONTIN. AND OTHER PLACES. THE US SUPREME COURT HELD A STATE PRIOR OFFENSE CANNOT BE USED TO ENHANCE A FEDERAL SENTENCE IN MATTHEWS. IT ALSO HELD 18 USC § 3583 (K) TO BE UNCONSTITUTIONALLY ILLEGAL IN VIOLATION OF THE FIFTH AND SIXTH AMENDMENTS, AND DEFENSE COUNSEL PROMISED IT DID NOT APPLY TO PETITIONERS CASE. THIS IS CLEAR ERROR IN BIAS PREJUDICE, BY THE CHIEF JUDGE. PETITIONER IS ACTUALLY INNOCENT OF THE PENALTIES IMPOSED UPON HER, HER INCARCERATION AND FUTURE TERM OF LIFETIME SUPERVISION, SORNA, WAISH ACT, AND MAXIMUM SENTENCE ARE UNCONSTITUTIONALLY ILLEGAL AND UNAUTHORIZED BY USSC.

GROUND TEN: ILLEGAL SENTENCE; TO LIFETIME SUPERVISION IN VIOLATION OF THE FIFTH AND SIXTH AMENDMENT TO THE US CONSTITUTION PURSUANT TO UNITED STATES SENTENCING GUIDELINES AND UNITED STATES V. HAYMOND, 139 S. CT. 2369 (2019); UNITED STATES V. GRAWALKER, 285 F.3d 727, 729-736 (8th Cir., 2002); BAKER V. BARBO, 177 F.3d 149, 155 (3rd Cir. 1999); cert. denied, 528 US 94. Because "there can be no plea bargain to an ILLEGAL SENTENCE," 528 US 94. Because "PROMISE" Brady v. United States, 397 US 830, 842, 750-756 (1970) This did NOT apply to her case, it VIOLATES SANTABELLO V. NEW YORK, 404 US 257, 263 (1971), due to Required "SPECIFIC PERFORMANCE" ED. This is an UNCONSTITUTIONAL PENALTY and SENTENCE PER CLASS V. UNITED STATES, 138 S. CT. 708, (2018). "Despite a guilty plea, a PRISONER may urge such a CONTENTION IN THE REVIEWING COURT."

### (A) SUPPORTING FACTS:

The Bias and CORRUPT Chief U.S. District Judge DANIEL L. HOWLAND ILLEGALLY SENTENCED PETITIONER TO AN ILLEGAL SENTENCE OF LIFETIME SUPERVISION acting in CLEAR ERROR by APPLYING THE UNAUTHORIZED 18 USC § 3583 (K), as NO MINORS were INVOLVED IN PETITIONER'S case, and PURSUANT TO DESIGN 5012 CMT. NL HER charge is NOT a "SEX OFFENSE" ID, as 3583 (K) REQUIRES a SEX OFFENSE INVOLVING MINORS, THERE WERE NO MINORS IN TO 18 USC § 2421(a) IN A CASE INVOLVING MINORS, THIS APPLICATION OF 3583 (K) IS NOT AUTHORIZED BY THE SENTENCING COMMISSION, CONGRESS, OR THE U.S. CONSTITUTION, OR THE LAW ITSELF. PETITIONER'S DEFENSE COUNSEL OBJECTED BY INFORMING THE BIAS JUDGE THAT DOESN'T APPLY, YOUR HONOR. THE BIAS JUDGE SAID "WE'LL SEE ABOUT THAT" AND ACTING IN BIAS CORRUPTION, HE ILLEGALLY APPLIED IT. THE U.S. SUPREME COURT HELD IN UNITED STATES V. HAYMOND, 139 S. CT. 2369 (2019) THAT § 3583 (K) IS UNCONSTITUTIONAL AND UNENFORCEABLE, IN VIOLATION OF THE 5TH and 6TH AMENDMENTS, AND THEREFORE THIS IS AN ILLEGAL SENTENCE, AND THERE CAN BE NO PLEA BARGAIN TO AN ILLEGAL SENTENCE. THIS IS A BREACH OF CONTRACT, due to the REQUIREMENTS OF SPECIFIC PERFORMANCE, and PROMISES MADE TO PETITIONER THAT NONE OF THESE THINGS WOULD APPLY IN HER case, which is EVIDENT ON THE RECORD as DEFENSE COUNSEL CHRIS BELLMORE REPEATEDLY STATED "THAT DOESN'T APPLY, YOUR HONOR". THE BIAS AND CORRUPT JUDGE HOWLAND ABUSED HIS DISCRETION, and APPLIED SENTENCING ENHANCEMENTS TO THE WRONG OFFENSE. PETITIONER HAS NO ELEMENTS OR charge of 18 USC § 2241(a). IN THE INTENTIONAL AND BIAS CORRUPT ACT OF RULING TO APPLY UNAUTHORIZED ENHANCEMENTS, THAT DO NOT APPLY IS THE ACTUAL charge of 18 USC § 2421(a) BY THE CLEAR ERROR OF TRANSPOSING NUMBERS. THIS IS A DENIAL OF DUE PROCESS AND EQUAL PROTECTIONS, AND DENIED PETITIONER A FAIR AND UNBIASED TRIBUNAL, IN VIOLATION OF THE 5TH, 6TH and 14TH AMENDMENTS, AND RESULTED IN A SENTENCING DISPARITY, RESULTING IN CRUEL AND UNUSUAL PUNISHMENTS IN VIOLATION OF THE 8TH AMENDMENT OF THE U.S. CONSTITUTION, AND IS ILLEGAL AND UNCONSTITUTIONAL and UNAUTHORIZED BY LAW. THE U.S. PROBATION HAS FURTHER DEPRIVED PETITIONER HER EARLY RELEASE IN MARCH/APRIL OR MAY OF 2021, as they DENIED PETITIONER RELEASE FROM TO HER RESIDENCE, and TO IMMEDIATELY REPORT TO HER SPECIALIST PHYSICIANS and THERAPISTS FOR HER SCHOOL'S MEDICAL CONDITIONS INCLUDING INTERSEX RELATED GENDER DYSPHORIA as they are BIAS UPON TRANSGENDER STATUS, THIS IS ALSO A BREACH OF CONTRACT, as PETITIONER WAS PROMISED, she WOULD GET THIS LINK.



GROUND ELEVEN: The DEFECTIVE INDICTMENT failed to "COMPLY WITH THE STATUTORY [LANGUAGE] REQUIREMENT CONCERNING THE SEQUENCE OF INTERSTATE TRAVEL AND THE VIOLATION OF STATE LAW, AND THEREFORE CHARGED NO OFFENSE". UNITED STATES V. ZEMATER, 501 F.2d 540, 543-545 (7th Cir. 1974) "THE [3] STATUTE IS REQUIRED TO BE USED IN THE INDICTMENT TO ESTABLISH THE CRIME FOR WHICH ANY PERSON CAN BE CHARGED, i.e., TO ESTABLISH THAT THE SEXUAL ACTIVITY WAS ILLEGAL". UNITED STATES V. COLE, 202 F.3d 704, 708 (8th Cir. 2000). The COURT NEVER ACQUIRED JURISDICTION AND HAD NO POWER TO ENTER THE CONVICTION OR IMPOSE THE SENTENCE. CLASS V. UNITED STATES, 138 S.Ct. 708, 200 L.Ed.2d 37, 44 (2018). The INDICTMENT OR INFORMATION IS VOID FOR VAQUENESS, AND FAILED TO MEET REQUIREMENTS OF THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION. THE PETITIONER WAS ILLEGALLY ARRESTED, DETAINED, CONVICTED, AND SENTENCED TO A "NON EXISTENT OFFENSE". IN RE DAVENPORT, 147 F.3d 605, 611 (7th Cir. 1998) "A CLAIM OF A DEFECTIVE INDICTMENT IS A JURISDICTIONAL ISSUE THAT MAY BE RAISED AT ANY TIME". EXX V. PONTASSO, 328 F.3d 1057, 1060 (9th Cir. 2002). CITING UNITED STATES V. JAMES, 980 F.2d 1314 (9th Cir. 1992). AS "THE INDICTMENT IS SO DEFECTIVE IT DOES NOT CHARGE OFFENSE IN WHICH PETITIONER IS CONVICTED". HAYLE V. UNITED STATES, 815 F.2d 870, 882 (2d Cir. 1987); CITING UNITED STATES V. HAYLE, 12 F.2d 782, 783 (2d Cir. 1973).

(C) SUPPORTING FACTS:

The PETITIONER WAS ILLEGALLY, AND WRONGLY CONVICTED, TO A NON EXISTENT OFFENSE, IN WHICH FAILED TO STATE A FEDERAL OFFENSE. THE COURT, NOR THE PROSECUTION, EVER HAD ANY JURISDICTION TO ARREST, DETAIN, PROSECUTE, CONVICT, SENTENCE, OR PUNISH PETITIONER BY INCARCERATION OR FORCED RAPE, SEXUAL/PHYSICAL ASSAULTS, OR HARASSMENTS. THE DEFECTIVE INDICTMENT IS REQUIRED TO PROVIDE A STATE STATUTE VIOLATED IN A STATE TRAVELLED TO IN INTERSTATE COMMERCE FROM A DIFFERENT STATE, TO KNOWINGLY INTEND TO VIOLATE THE LAW IN THE STATE TRAVELLED TO, AS THE MAIN ACT PURSUANT TO 18 USC § 2421(CA) IS NOT A STAND ALONE OFFENSE. AN EXAMPLE OF THIS PROSTITUTION OFFENSE NOT BEING A VIOLATION, IF A PERSON LEAVES TUCSON, ARIZONA, TRAVELS IN INTERSTATE COMMERCE INTO NEVADA TO WORK AS A SEX WORKER IN A LEGAL BROTHEL, THIS IS NOT A VIOLATION OF THE MAIN ACT AS NO OFFENSE IS VIOLATED IN THE STATE TRAVELLED TO IN INTERSTATE COMMERCE WITH INTENT TO ENGAGE IN PROSTITUTION OR ANY OFFENSE IN WHICH A PERSON CAN BE CHARGED. THIS IS WHY THE GOVERNMENT IS REQUIRED TO ESTABLISH THIS PRIOR TO OBTAINING JURISDICTION. AS THE RESPONDENT'S PROSECUTION FAILED TO FOLLOW THE STATUTORY PROCEDURE REQUIREMENTS TO CHARGE A FEDERAL OFFENSE, AND FAILED TO OBTAIN ANY JURISDICTION TO ILLEGALLY ARREST, ILLEGALLY DETAIN, ILLEGALLY PROSECUTE, ILLEGALLY CONVICT, AND ILLEGALLY INCARCERATE HER, THE U.S. DISTRICT COURT AND THE JUDICIALLY BIASED AND CORRUPT JUDGE DANIEL LEVAND, HAD NO JURISDICTION TO HEAR, TRY, DETAIN, CONVICT, SENTENCE, OR INCARCERATE PETITIONER, AS THIS VIOLATES FEDERAL RULES OF CRIMINAL PROCEDURE, THE 5TH AMENDMENT TO THE U.S. CONSTITUTION, AND CLEARLY ESTABLISHED LAW, AND FEDERAL COURT PRECEDENTS. THE PETITIONER IS BEING HELD ILLEGALLY AND UNCONSTITUTIONALLY, AS SHE IS ACTUALLY AND LEGALLY INNOCENT OF THE MAIN ACT PURSUANT TO 18 USC § 2421(CA). THE INDICTMENT OR INFORMATION WAS ARBITRARILY BEING VOID FOR VAQUENESS, SO AS TO CONFUSE EVERYONE, BY FAILING TO DO ITS PURPOSE UNDER THE 5TH AMENDMENT TO THE U.S. CONSTITUTION, AND FULLY AND PRECISELY NOTIFY WHAT PETITIONER WAS BEING CHARGED WITH. THIS DENIED OUR PROCESS, EQUAL PROTECTIONS, AND A FAIR AND UNBIASED TRIBUNAL IN VIOLATION OF THE 5TH, 6TH, AND 14TH AMENDMENTS TO THE U.S. CONSTITUTION, DUE TO THE BIASED AND CORRUPT JUDGE AND THE PROSECUTION'S MISCONDUCT, AND FAILURE TO STATUTORILY CHARGE A FEDERAL OFFENSE, IN WHICH THE PROSECUTION HAD NO ELEMENTS TO STATE, OR CHARGE A FEDERAL OFFENSE. PETITIONER IS BEING ILLEGALLY HELD IN VIOLATION OF CLEARLY ESTABLISHED FEDERAL LAW, THE U.S. CONSTITUTION, AND INTERNATIONAL TREATIES, THIS REQUIRES HER IMMEDIATE RELEASE, UNCONDITIONALLY FROM CUSTODY.

Ground twelve: The Petitioner is Legally Innocent of the Charge of Wrongful and Illegal Conviction and Sentence, Pursuant to Clearly Established Law of the US Supreme Court and Circuit Courts, Pursuant to Mortensen v. United States, 34 S. Ct. 330, 330 F.2d 759-759-761 (9th Cir. 1964), Remand, 34 S. Ct. Newly Discovered Evidence Proffered by the Respondents Prosecution Previously Unavailable to Petitioner Fully Proves a Fundamental Miscarriage of Justice, her Actual and Legal Innocence by Clearly Established Law, and U.S. Supreme and Federal Court Precedents. The Court was the Prosecution ever had any power to enter conviction or impose the unknown class v. United States, 138 S. Ct. 702, 100 LEd 2d 37, 47 (2019).

(C) SUPPORTING FACTS:

PETITIONER IS LEGALLY INNOCENT OF THE MANN ACT PURSUANT TO 18 USC §2421(a) AS THE CONDUCT IN WHICH SHE IS ILLEGALLY AND UNCONSTITUTIONALLY CONVICTED AND SENTENCED TO IS NOT A FEDERAL OFFENSE AS HELD BY CLEARLY ESTABLISHED LAW. PETITIONER DID NOT TRANSPORT ANYONE, AS ADMITTED TO IN NEWLY DISCOVERED EVIDENCE NOT PREVIOUSLY AVAILABLE TO HER IN HER PRE-TRIAL PROCEEDINGS. THIS WAS PROVIDED IN THE RESPONDENTS PROSECUTION 28 USC §2255 RESPONSE (Doc. 118, Page 6, Lines 10, 11, 12 AND TRANSCRIPT SENTENCING AT US), THIS IS NEWLY DISCOVERED EVIDENCE OF PETITIONER'S LEGAL AND ACTUAL INNOCENCE, K.P. STATED THE DEFENDANT WOULD TRANSPORT A CAR BY DRIVING IT ACROSS COUNTRY, AND SHE WOULD FOLLOW IN THE DEFENDANT'S CAR, SO THAT SHE COULD TRANSPORT THE DEFENDANT TO THE NEXT JOB OR HOME. JD, CANYA FLY USED HER OWN CAR, SHE IS LEGAL AND REGISTERED OWNER OF, SHE IS OVER 18 AT THE TIME, A LEGAL ADULT. HER DATE OF BIRTH IS August 28, 1997. THE NINTH CIRCUIT HELD IN TWITCHELL ON REMAND FROM THE U.S. SUPREME COURT, BY THE RESPONDENTS PROSECUTION WRIT OF ERROR THAT IT IS NOT A VIOLATION OF THE MANN ACT FOR THE WOMAN OR GIRL TO TRANSPORT HERSELF. FURTHER, THE U.S. SUPREME COURT HELD IN MORTENSEN THAT A TRIP THAT BEGINS WITH AN INNOCENT PURPOSE, IT ALSO ENDS WITH ONE. THE ONLY TRIPS MADE WERE FOR A LEGITIMATE EMPLOYMENT PURPOSE, AND THE U.S. SUPREME COURT HOLDS THAT PETITIONER'S ADMITTED CONDUCT, AND RESPONDENTS PROSECUTIONS FOCALIZATION OF PETITIONER'S CONDUCT, AND THE PROSECUTION'S ADMISSION, ALL PROVE THE CONDUCT DID NOT VIOLATE THE MANN ACT UNDER 18 USC § 2421 (C), AND HAD THE RESPONDENTS PROSECUTION INCITE JUDICIAL BIAS, AND DENY DUE COURT, ACTED IN BAD FAITH, PROSECUTORIAL MISCONDUCT TO INCITE JUDICIAL BIAS, AND DENY DUE PROCESS, BY TORTURING PETITIONER THROUGH HER INTERSEX RELATED GENDER DYSPHORIA AND RAYNAUDS, AND USING FALSE AND KNOWN FAIRJURIOUS TESTIMONY AND EVIDENCE, AND LYING TO COERCE AND INDUCE AN UNKNOWING AND INVOLUNTARY PLEA, PETITIONER WOULD NOT BE CONVICTED TO AN OFFENSE THE U.S. SUPREME COURT HOLDS NOT TO BE ILLEGAL. THE BIAS AND CORRUPT JUDGE DANIEL L. HAYLAND WAS SO PREJUDICE UPON PETITIONER AND HER INTERSEX AND/OR TRANSGENDER FEMALE GENDER DYSPHORIA STATUS, HE ABUSED HIS DISCRETION, AND RULED INTENTIONALLY CONTRARY TO U.S. SUPREME COURT LAW THAT IS CLEARLY ESTABLISHED LAW. HAD IT NOT BEEN FOR THIS DENIAL OF DUE PROCESS, THE PETITIONER WOULD NOT HAVE BEEN FOUND GUILTY TO A NON-EXISTANT OFFENSE. THE COURT NEVER HAD JURISDICTION OVER, THIS INHERENTLY MAKES THE INDICTMENT DEFECTIVE, AS IT FAILS TO CHARGE A FEDERAL OFFENSE, AND IN FACT ILLEGALLY CRIMINALIZING CONDUCT WHICH THE U.S. SUPREME COURT HOLDS TO NOT BE ILLEGAL. THEREFORE PETITIONER IS BEING ILLEGALLY UNCONSTITUTIONALLY HELD IN CUSTODY, AND THE RESPONDENTS PROFFERED AND NEWLY DISCOVERED EVIDENCE REQUIRES ACQUITTAL PURSUANT TO FED. CRIM. P. Rule 29, AND RELEASE UNCONDITIONALLY AND IMMEDIATELY OF PETITIONER AS THIS IS A FUNDAMENTAL MISCARriage OF JUSTICE.



Ground Thirteen: The Petitioner is Actually INNOCENT OF The Penalty OF Rape, Sexual Assault, WALSH ACT, SEX OFFENDER REGISTRATION NOTIFICATION ACT (SORNA), LIFETIME SUPERVISION, TORTURE, INDUCED SUICIDE, TO ILLEGALLY EXECUTE A DEATH SENTENCE, SEVERE ASSAULT, BATTERY, and execution of death penalty; By U.S. DOJ OFFICIALS, AGENTS, CONTRACTORS, OR THEIR INFORMANTS, OR INMATES, PURSUANT TO SWEET V. WHITLEY, 505 US 333, 347 (1992) and The Eighth Amendment (PROHIBITS) ARBITRARY AND CAPRICIOUS IMPOSITIONS OF THE [FORGOING execution OF THE] SENTENCE; 12. NEWLY DISCOVERED EVIDENCE, PROVIDED BY RESPONDENTS,

(A) EVAPORATING FACTS:

(C) SUPPORTING FACTS:

The Petitioner has newly discovered ~~of~~ <sup>the</sup> Respondents ILLEGAL EXECUTION of her ILLEGAL sentence. The Respondents have ILLEGALLY UNCONSTITUTIONALLY carried out a sentence to THE WRONG OFFENSE WITH ENHANCED PUNISHMENTS THAT ARE NOT AUTHORIZED BY LAW, STATUTE, REGULATION OR US SUPREME COURT OR FEDERAL COURT PRECEDENTS, PURSUANT TO UNITED STATES SENTENCING GUIDELINES § 501.2. "A SEX OFFENSE IS AN OFFENSE PERPETRATED AGAINST A MINOR," 20 AT CMT. 11.1. A "MINOR IS A PERSON WHO HAS NOT ATTAINED AGE 18," PD. USSC § 501.2 (b) (2) HAS BEEN INCORRECTLY APPLIED BY THE BIAS JUDGE ABUSE OF DISCRETION AND PLAIN ERROR, AS 1) AN ERROR, 2) THAT IS PLAIN, AND 3) AFFECTS SUBSTANTIAL RIGHTS, HAS BEEN ILLEGALLY APPLIED AND ILLEGALLY CARRIED OUT UPON PETITIONER. THE RESPONDENTS HAVE ILLEGALLY APPLIED CRUEL AND UNUSUAL PUNISHMENTS BY ARBITRARY AND CAPRICIOUS ENHANCED ILLEGAL PUNISHMENTS OF FORCING RAPE, SEXUAL ASSAULTS, PHYSICAL ASSAULTS, BATTERY, AND DEPRIVING MEDICAL CARE, TO ILLEGALLY EXECUTE THE DEATH PENALTY THROUGH SUICIDE AND/OR HOMICIDE UPON PETITIONER. THEY HAVE FURTHER ADDED ILLEGAL ENHANCEMENTS OF "WASH ACCT," SCANA, AND HIGHER CUSTODY

The Respondents have further added Illegal Enhancements of Sex Offense Public Safety Factor, in which have resulted in a Higher custody Level, a longer sentence, discrimination upon Petitioner, and threat upon her life, health, and safety, including medical and psychological treatments being deprived based upon this false information. This has also resulted in placement at a High security level sex offender treatment program facility, when Petitioner is not a sex offender per 0364 § 501.2, C.M.T. N.I. The Respondents prosecution unconstitutionally presented known evidence, to deny due process upon Petitioner to seek his freedom, and abuse his discretion to seek knowingly.

AT SENTENCING THE RESPONDENTS PROSECUTION UNCONSTITUTIONALLY PRESENTED KNOWN FALSE AND PERJURIOUS TESTIMONY AND EVIDENCE, TO DENY DUE PROCESS UPON PETITIONER'S ILLEGALLY UNAUTHORIZED ENHANCEMENTS IN BREACH OF CONTRACT IN COERCED UNKNOWNLY AND INVOLUNTARY PLEA AGREEMENTS. THE BIAS JUDGE ABUSED HIS DISCRETION TO SEEK SENTENCING PETITIONER TO 18 USC § 2241(C) IN WHICH IS THE WRONG OFFENSE, AS SHE IS WRONGLY CONVICTED OF 18 USC § 2401(C), AND SERVING THE WRONG SENTENCE. THE RESPONDENTS HAVE DEPRIVED HER OF EMAIL, RAISED HER CUSTODY LEVEL, DENIED FIRST STEP ACT PROGRAMMING FOR EARLY RELEASE, EXTENDING HER SENTENCE. THE RESPONDENTS HAVE BEAT, SEXUALLY Molested, FORCED RAPE, AND OTHER ABUSE EXECUTION OF AN ILLEGAL SENTENCE.

SENTENCING PETITIONER TO 18 USC § 2421(C), who  
 IS WRONGLY CONVICTED OF 18 USC § 2421(C), RAISED HER CUSTODY  
 The RESPONDENTS HAVE DEPRIVED HER OF EMAIL, RAISED HER SENTENCE.  
FIRST STEP ACT PROGRAMMING FOR EARLY RELEASE, EXTENDING HER ABUSE  
 The RESPONDENTS HAVE BEAT, SEXUALLY MOTIVATED, FORCED Rape, and OTHER ABUSE  
 spent petitioner due to THIS ILLEGAL EXECUTION OF AN ILLEGAL SENTENCE,  
 IN VIOLATION OF THE U.S. CONSTITUTION, THIS IS AN ILLEGAL AND PREJUDICE DENIAL OF OUR PROCESS  
 AND EQUAL PROTECTION TO ILLEGALLY UNCONSTITUTIONALLY EXECUTE AN UNFAIR SENTENCING DISPARITY  
 TO INFLECT TO EXECUTE CRUEL AND UNUSUAL PUNISHMENTS OF PETITIONER IN VIOLATION OF  
 THE 5TH, 6TH, 8TH, AND 14TH AMENDMENTS OF THE U.S. CONSTITUTION.

GROUND FOURTEEN: FRAUD UPON THE COURT; to deny due process in violation of Federal Rules of Civil Procedure Rule 60 and 18 USC §§ 1503, 1510, and 1512; While acting in an orchestrated conspiracy to deny rights in a criminal pre-trial, post conviction, and Habeas proceeding, in addition to various civil rights actions as a result of the prosecutorial misconduct to cover up and conceal their corrupt bad faith endeavoring to obstruct or impede the due administration of justice, United States of America v. Maloney, 21 F.3d 643, 656 (7th Cir. 1995), while acting in a conspiracy to deny rights in violation of 18 USC §§ 241 and 242 and 42 USC §§ 1983 and 1986, and the U.S. Constitution Amendments 5, 8, and 14, PETITIONER obtained newly discovered evidence not previously available to her. This fraud renders PETITIONER'S conviction and sentence illegal and unconstitutional, as she is actually and legally innocent of 18 USC § 242(c), and the conviction and sentence were obtained by and through fraud upon the courts, denying due process.

#### (C) SUPPORTING FACTS:

The Respondent's Prosecution lied to a court and grand jury to illegally and unconstitutionally arrest, detain, search, and seize PETITIONER and her families, business and personal belongings and property in violation of the 4th Amendment to the U.S. Constitution, while acting in a deception upon the court and grand jury to arrest and detain PETITIONER illegally with a place holder offense of 18 USC § 1512, by lying and stating that she threatened to kill someone. PETITIONER'S Facebook message stated: "you should be more truthful, which is an affirmative defense to that charge, on July 15, 2016. On the 6th day of the 70 day speedy trial requirement of the sixth Amendment, this charge was withdrawn by the prosecution, due to lack of evidence. Then in violation of the rule of specialty and then fifth and sixth Amendments, the Respondent's Prosecution replaced the 1512 PETITIONER was illegally extradited from, and charged PETITIONER with 18 USC § 242(c), having no elements of transportation or violation of any state law, and is defective and void for vagueness, to intentionally deceive the court into believing this extended the 70 day speedy trial rule into perpetuity indefinitely forever. The PETITIONER asserts it does not. Then also on this same September 22, 2016 hearing, the Respondent's acting in a further coordinated conspiracy with AUSA Matthew Greenberg, USMS Deputy Marshals, Laura Boll, Jay Ferguson, Jordan DeLeon, David Behn, et al. by first lying to the court as officers of the court, with intent to deceive the court, and did deceive the court by stating: "The Hormone Therapy has been approved, and it's on its way, your Honor" (Laura Boll); to deceive the court, and did deceive the court, and deny due process upon PETITIONER; by immediately notifying the jail to not provide the hormone therapy to her, with intent to torture PETITIONER over time, over bearing her will, through prolonged denial of her gender affirming medically necessary treatment, to induce gender dysphoria related anxiety at extreme levels of 50163 on the BAI, with intent to coerce into an unknowing and involuntary plea agreement, she never wanted, and still does not want, and this prejudiced PETITIONER, by resorting in an illegal conviction and sentence, obtained through fraud upon the court. The PETITIONER discovered new evidence not previously available to her in previous pre-trial and 28 USC § 2255 proceedings, showing David Behn @ US DOJ, you emailing Hanneleane@cascountynd.gov informing her not to provide them, as "they would just be denied again", and there was "no need to ask", clearly proving the conspiracy to commit fraud upon the court and deny due process upon PETITIONER. The Respondents have also continued to use this torture to deny due process repeatedly since, and have again allowed her medically necessary treatments to expire, and are refusing to renew them, with intent to deny due process in this Habeas and civil rights case no. 4:21-cv-00506-the-SHR (DA 2) and sadistically and maliciously torture PETITIONER through her medical conditions in October are indifference to her health and safety in violation of the 8th Amendment and 5th Amendments, and the Convention Against Torture, the Convention Against Discrimination of all women, and state and federal vulnerable adult laws. The Respondent's Prosecution further used PETITIONER'S gender identity/intersex issues to incite judicial bias at the June 7, 2017 status conference, and then on February 24, 2018 at sentencing, when the judge stated "I don't want to deal with transgender issues" acting in illegal prejudice bias discrimination upon PETITIONER and her serious medical conditions, illegally denying PETITIONER her due process rights, and disqualifying himself as a judge, and by colluding with the prosecution's fraud upon the court, this illegal misconduct is a denial of due process and a fair and unbiased tribunal in violation of the 5th, 6th, 8th, and 14th Amendments of the U.S. Constitution, and PETITIONER is illegally and unconstitutionally being held in custody by the Respondents.



GROUND FIFTEEN: The indictment is void for vagueness and failed to charge a federal offense, and is defective. "A claim of a defective indictment is a jurisdictional issue that may be raised at any time" *Puy v. Pontesso*, 328 F.3d 1057, 1060 (9th Cir. 2002); citing *United States v. James*, 780 F.2d 1314 (2nd Cir. 1992), and due to judicial bias and prosecutorial misconduct. The § 2255 Remedy was inadequate or ineffective and the petitioner is entitled to seek relief under § 2241. *Puy, supra*, 20 at 1060. This violates the vagueness doctrine of the U.S. Constitution, pursuant to the 5th Amendment, and denied petitioners due process of law. This is also a violation of Fed. R. Civ. P. 60, and a fundamental miscarriage of justice as petitioner is legally and actually innocent of 18 USC § 2421 (a), and is being illegally held, as the court had no jurisdiction or power to enter the conviction or impose the sentence. *Class v. United States*, 138 S.Ct. 708, 200 LEd. 2d 37, 43-44 (2018), and she is entitled to be discharged. *Class, supra*, at 43. Citing *Commonwealth v. Hinds*, 101 Mass. 209, 210 (1869).

#### (A) SUPPORTING FACTS:

The indictment or information is required to name a state violation in a state travelled into from another state to establish what sexual activities would be illegal in that state, as the Mann Act under 18 USC § 2421 (a). The respondents prosecution left the indictment or information void for vagueness stating "Between in or around February 2016 and in or about May 2016 in the District of North Dakota and elsewhere did knowingly transport the victim C.F. an adult in interstate commerce crossing the state border of North Dakota, with intent to engage in a sexual act for which any person can be charged with a criminal offense." (DOC, 118, Page 5, at bottom.) This does not provide a state travelled into, nor an ordinance or penal code violated in that state. It is so vague, so, as leave an indictment, information or plea agreement unknown, and involuntary, by failing to properly inform the petitioner of exactly what offense she is charged with, leaving it void for vagueness. Because the scienter of "knowingly" is the basis of the charge, she must be fully informed to meet the stringent vagueness doctrine of the 5th Amendment. Petitioner must knowingly transport a person to have elements for jurisdiction. By the Federal Government or U.S. District Court. Respondents prosecution proffered newly discovered evidence that petitioner never transported anyone when they admitted "C.F. stated the [petitioner] would transport a car by driving it across country, and she would follow in the defendant's car (Note: C.F. is the legal and registered owner and it was her own vehicle), so that she could transport the [petitioner] to the next job or home." (DOC, 118, Page 6, Paragraph 2, Lines 10, 11, 12). C.F. sent at 112. This petitioner could not have "knowingly" transported someone she never transported, proving petitioners actual and legal innocence of 18 USC § 2421 (a) as it requires this element. This is a fundamental miscarriage of justice, as an innocent person has been convicted and sentenced to a non-existent offense, by a judicially biased judge who was disqualified in a court that never had jurisdiction to enter a conviction, or impose the illegal sentence, that is void. The petitioner also cannot plea to an illegal sentence. Therefore, she is being illegally and unconstitutionally held in violation of the U.S. Constitution pursuant to the 4th, 5th, 6th, and 8th, and 13th Amendments, and this is a cruel and unusual punishment, denial of due process, illegal search, seizure, incarceration, and has resulted in forced sexual servitude by the respondents, who never had any jurisdiction to arrest, detain, or haul petitioner into court upon the non-existent offense they left void for vagueness, with not one element to charge or assume jurisdiction, or to convict, prosecute, or even execute an illegal sentence upon petitioner. The indictment or information is defective and the respondents are illegally executing an illegal sentence upon petitioner, and she is entitled to immediate and unconditional release from custody.

Ground sixteen: Abuse of Discretion by Illegally Bias Judge.

The Judicially Bias Judge Illegally Abused his discretion in Pre-Trial, Sentencing, and Habeas Proceedings, to Illegally convict Petitioner to an offense he had no jurisdiction to hear, then sentenced her to unauthorized statutes for her conduct. He failed to do his Federal Rules of Criminal Procedure 12(b)(4) Requirements to Rule on Motions of Petitioner, because he did not want to deal with Transgender Issues. This is an abuse of discretion and violated Petitioner's rights to due process and equal protection under the U.S. Constitution Amendments Five and Six, and Fourteen. This structural error requires automatic reversal. The Bias Judge allowed Petitioner to be continuously tortured, to effect the outcome, because he hates transpeople.

(A) Supporting Facts:

The Criminal Bias and Corrupt Judge, who defiled the Bench in violation of ABA Canon's, the U.S. Constitution, and United States Code, and Law's of the Land set by the U.S. Supreme Court and Federal Circuit Courts; by his personal Hate and Bias against intersex and/or transgender persons with Gender Dysphoria, which Petitioner is, was, and always will be.

Due to this Bias, and Hate, upon Petitioner for being intersex and/or transgender, he was disqualified as a judge, and thus had no power or authority to sit in Bias in Criminal, Habeas, and Civil Rights Proceedings involving an intersex and/or transgender female gender dysphoric party in the action. To do so, is a structural error that requires automatic reversal. The Petitioner is actually innocent, and but for the illegal bias and corruption to deny due process and a fair and unbiased tribunal, in violation of the Fifth and Sixth Amendments; by failing to do his duty, to guard, enforce, and protect the Petitioner's rights as required by the U.S. Supreme Court, in Zwickler v. Koota, when he failed to protect her rights from the illegal prosecutorial misconduct in Bad Faith by the respondents simply because he did not want to deal with transgender issues in a criminal proceeding, this denied Petitioner a fair and unbiased tribunal and due process and equal protection of law, in violation of the 5th, 6th, and 14th Amendments to the U.S. Constitution. The Bias Judge failed to rule on Petitioner's motions filed with the court, including those pertaining to the respondents' prosecutorial misconduct and fraud upon the court to interfere with the due administration of justice in a criminal proceeding, on September 22, 2016 at detention hearing; the respondents lied to deceive the court by officers of the court, into the belief that they were properly providing Petitioner's gender affirming hormone therapy to her, when they told the court "The hormone therapy has been approved, and it's on its way, your honor." Then telling the jail "no need to ask" again, "it will just be denied again" when several medical providers prescribed them to Petitioner. Repeatedly. Then on June 7, 2017, at the status conference "solely to address the defendant's medical complaints" (see 118, page 22, line 2, 3) LTR status conf.) in response to Petitioner's motion/Habeas corpus letters to the court (see 118, page 41, 43, 44, 51, 55, 10, 76). In regards to Petitioner was being tortured, (transcript of status conference on June 7, 2017, at 17). "Medical and gender dysphoria" In at 118, page 21, line 16, 19). This Bias against intersex and/or transgender defendants, illegally denied due process, by his abuse of discretion and failing to rule, on her motions making him aware that respondents' prosecution was violating virtually all of her rights pursuant to the U.S. Constitution, State and Federal vulnerable adults, and the Convention against torture, and Federal Criminal Rule 12(b)(4), and the U.S. Supreme Court. On February 26, 2018, at sentencing we found out why, when the Bias Judge ruled "I don't want to deal with transgender issues" and in abuse of discretion sentenced Petitioner to the maximum sentence, plus life time of supervised release, SORNA, and sentencing enhancements that are not authorized in Petitioner's case, as no minors were involved, no obstruction of justice, no custody, care or supervisory control, and no force, threat, intimidation or rape, or sexual assault, no lifetime supervised release, no SORNA. This resulted in a sentencing disability in violation of the Eighth Amendment, and is a breach of tortured unlawfully incarceration plan agreement.



Ground Seventeen: DENIAL OF FAIR UNBIASED TRIBUNAL IN VIOLATIONS OF FIFTH AND SIXTH AMENDMENTS TO THE U.S. CONSTITUTION, ABA CANONS, AND CJS. CODE AND THE CIVIL RIGHTS ACT OF 1964 PURSUANT TO BOSTOCK V. CLAYTON CITY, 140 S. CT, 1731, 1741-42 (2020). IT IS IMPOSSIBLE TO DISCRIMINATE AGAINST A PERSON FOR BEING... TRANSGENDER WITHOUT DISCRIMINATING AGAINST THAT INDIVIDUAL BASED ON SEX. THERE IS AN UNMISTAKABLE AND IMPERMISSIBLE ROLE IN THE... DECISION... THERE IS SIMPLY NO ESCAPING THE ROLE INTENT PLAYS HERE. I BECAUSE A JUDGE WHO DISCRIMINATES ON THESE GROUNDS INEVITABLY INTENDS TO RELY ON SEX IN ITS DECISIONMAKING'S ETC.

(C) SUPPORTING FACTS:

THE PETITIONER IS ENTITLED TO A FAIR AND UNBIASED TRIBUNAL. BY AN UNBIASED JUDGE OR JURY. THIS WAS DENIED TO HER, DUE TO HIS PERSONAL BIAS UPON PETITIONERS INTERSEX GENDER AND/OR TRANSGENDER FEMALE GENDER DYSPHORIC STATUS. AT SENTENCING THE BIAS CHIEF DISTRICT JUDGE SAID "I DON'T WANT TO DEAL WITH TRANSGENDER ISSUES". IN ADDITION TO THIS HE DEMONSTRATED BIAS BY FAILING TO RULE ON "TRANSGENDER ISSUES" TO PROTECT PETITIONER FROM BEING ILLEGALLY TORTURED BY THE RESPONDENTS PROSECUTION, WITH INTENT TO INTERFERE WITH THE PROCEEDINGS, AND TO DENY DUE PROCESS UPON PETITIONER THROUGH HCR "TRANSGENDER ISSUES" BY OVERTHEARING HER WILL AND INDUCING SEVERE EMOTIONAL DISTRESS, ANXIETY, AND GENDER DYSPHORIA, WITH INTENT TO INDUCE A PLEA TO A NON-EXISTENT OFFENSE, THAT IS STATUTORILY UNCHARGED, WITH NO SUPPORTING ELEMENTS, THAT NEITHER THE RESPONDENTS PROSECUTION, NOR THE COURT HAD ANY JURISDICTION TO ARREST, TRY, PROSECUTE, CONVICT, OR SENTENCE, OR INCARCERATE PETITIONER WHO IS ACTUALLY AND LEGALLY INNOCENT OF 18 U.S.C. § 2421 (C), PETITIONER IS ACTUALLY AND LEGALLY INNOCENT OF THE SENTENCE OF 18 USC § 3583 (K), PETITIONER IS ACTUALLY INNOCENT OF THE WALSH ACT, PETITIONER IS ACTUALLY INNOCENT OF SEX OFFENDER NOTIFICATION ACT (SORNA). THE PETITIONER IS ACTUALLY INNOCENT OF CUSTODY, CARE, AND SUPERVISORY CONTROL, THE PETITIONER IS ACTUALLY INNOCENT OF THREATS, INTIMIDATION OR FORCE, PETITIONER IS ACTUALLY INNOCENT OF LIFETIME SUPERVISION, PETITIONER IS ACTUALLY INNOCENT OF CHILD BIRTH REPAYMENT. THE BIAS AND CORRUPT JUDGE WAS INFORMED THESE ENHANCEMENTS DO NOT APPLY TO PETITIONERS CASE. AT SENTENCING AND OBJECTED TO THEM THROUGH PETITIONERS COUNSEL. THE JUDGE SAID "WE'LL SEE ABOUT THAT" IN BIAS AND ARBITRARILY MADE THEM APPLY CONTRARY TO THE UNITED STATES SENTENCING GUIDELINES. THIS IS AN ABUSE OF POWER, ABUSE OF DISCRETION, AND CLEAR ERROR AND A COMPLETE MISCARriage OF JUSTICE DUE TO A TOTAL DENIAL OF A FAIR UNBIASED TRIBUNAL IN VIOLATION OF THE SIXTH AMENDMENT, AND AN ENTIRE DENIAL OF DUE PROCESS IN VIOLATION OF THE FIFTH AMENDMENT OF THE U.S. CONSTITUTION, AMERICAN BAR ASSOCIATION CANONS, THE UNITED STATES SENTENCING GUIDELINES, UNITED STATES VETERANABLE ADULT LAWS, THE ADMINISTRATIVE PROCEDURES ACT, THE VULNERABLE ADULT LAWS, OKLAHOMA VULNERABLE ADULT LAWS, MINNESOTA LAWS, CALIFORNIA VULNERABLE ADULT LAWS, ARIZONA VULNERABLE ADULT LAWS, IDAHO VULNERABLE ADULT LAWS, NEW JERSEY VULNERABLE ADULT LAWS, NEVADA ADULT LAWS, ILLINOIS VULNERABLE ADULT LAWS, MISSISSIPPI VULNERABLE ADULT LAWS, FLORIDA VULNERABLE ADULT LAWS, NEW YORK VULNERABLE ADULT LAWS, NATIONS CONVENTION AGAINST TORTURE, THE CONVENTION AGAINST DISCRIMINATION OF ALL WOMEN, THE ADELSON MCMILLER RULE, THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, BY THIS BIAS JUDGE, WHO ALLOWED THE RESPONDENTS PROSECUTION TO TORTURE PETITIONER TO DENY DUE PROCESS UPON HER, DUE TO HIS CORRUPT COLLUSION, ACTING AS AN ACCOMPLICE, BECAUSE HE "DON'T WANT TO DEAL WITH TRANSGENDER ISSUES", WHEN HE IN FACT HAD BEEN REQUIRED TO THE MOMENT THE FUGITIVE WARRANT WAS ISSUED, AND UPON PETITIONERS APPEARANCE IN HIS COURT AS PETITIONER IS WELL KNOWN PUBLICALLY AS AN INTERSEX (HERMAPHRODITE) AND/OR TRANSGENDER FEMALE GENDER DYSPHORIC PERSON, IN THE WORLD WIDE MEDIA. THIS BIAS JUDGE'S FAILURE IS AN ABUSE OF DISCRETION, CLEAR ERROR, AND PREJUDICE THAT HAS RESULTED IN A FUNDAMENTAL MISCARriage OF JUSTICE, IN WHICH PETITIONER IS ACTUALLY INNOCENT, AND THE JUDGE WAS DISQUALIFIED, AND THE COURT HAD NO JURISDICTION BUT H A DEFECTIVE INDICTMENT. PETITIONER IS ILLEGALLY UNCONSTITUTIONALLY HELD IN CUSTODY BY RESPONDENTS IN VIOLATION OF THE U.S. CONSTITUTION AMENDMENTS 5, 6, 8, AND 14.

GROUND EIGHTEEN: DENIAL OF BOND IN VIOLATION OF THE SPEEDY TRIAL ACT § 3164 and the Eighth Amendment to the U.S. CONSTITUTION. By The Bias Judge colluding with the Respondents Prosecution, with intent to intentionally inflict emotional distress through torture, through Petitioner's medical conditions: "transgender issues" when the indictment is so defective that it does not charge an offense in which petitioner is convicted. *Henry v. United States*, 815 F.2d 879, 882 (2d Cir. 1987). Therefore the question is whether due process or Equal Protections had been violated, *Griffin v. Illinois*, 351 U.S. 12, 16-17 (1956).

### (A) SUPPORTING FACTS:

The Bias and corrupt Judge Illegally Deprived Petitioner Bond after ninety consecutive days in jail, solely awaiting a trial on a statutory unchanged defective indictment with no supporting elements, when the court had no jurisdiction to hold Petitioner. Petitioner owned both a home residence and a business, and had legitimate employment, a contractors license, excellent credit, family ties to the community and religious ties to the community, with absolutely no reason not to appear in court to prove her innocence, as she was unconstitutionally held in custody as being guilty, prior to proving her innocence. Thus the judge did in bias corruption to assist the Respondents Prosecution in intentionally inflicting emotional distress over time, by a prolonged illegal incarceration to deny a speedy trial and using Petitioner's "transgender issues" to torture her into an unknowing and involuntary plea agreement. By overruling her will, and pressing her into a plea she did not want. This denial of bond is a denial of her right to a bond pursuant to the Eighth Amendment, and the speedy trial act pursuant to 18 USC § 3164, and the Sixth Amendment. The Bias Judge had already violated 18 USC § 3161 70 day Rule of the speedy trial act pursuant to the US Supreme Court decision in EWELL, and therefore violated the Fifth, Sixth, and Eighth Amendment of the U.S. Constitution, and as they had ~~not~~ illegally held in state, or county jails, or private contractor facilities, they violated the Fourteenth Amendment of the US Constitution. This resulted in prejudice upon the petitioner, by allowing the Respondents Prosecution to deny due process by intentionally inflicting emotional distress upon Petitioner through her intersex related serious medical conditions including gender dysphoria and Ray Nails, and severe anxiety from these conditions and post-traumatic stress disorder. The Respondents used to put a foot on the scale of justice, to cheat, and deceive the court, and torture Petitioner into an unknowing and involuntary plea, by promising the court to provide Petitioner's medically necessary hormone therapy, then telling the judge not to provide it. This is a violation of Kingsley v. Hendrickson, 135 S.Ct. 2461 (2015) as to promise the court the hormone therapy has been approved, and 173 on its way from HHS, Chaura Ball - USMS - September 22, 2016 bond/detention hearing. Then immediately telling judge not to provide it, is purposeful and objectively unreasonable. Bond in violation of the Fifth, Sixth, Eighth, and Fourteenth Amendment and prejudiced Petitioner by resulting in a conviction upon a person who is actually innocent, resulting in a fundamental miscarriage of justice.



Ground Nineteenth Judicial Bias and Abuse of Discretion, Ruling Contrary to Clearly Established Law in 28 USC § 2255 Proceedings. (Doc. 132). A Bias Judge is disqualified, and cannot sit on the Bench, when he is biased and interested against or Transgender Persons, this illegally obstructed Petitioners only procedural shot at preserving their claims in a 28 USC § 2255 Johnson v. United States Probation and Pretrial Servs. 2022 US Dist LEXIS 28186 (D.WA 2022) 10 at \*5, citing Stephens v. Herrera, 944 F.3d 829, 828 (9th Cir. 2020).

(A) SUPPORTING FACTS: Denial of Due Process, Fair Tribunal in Violation of 5th and 6th Amendments, 2006] the same Bias and Corrupt Judge from Petitioners Pre-Trial, who was Disqualified, due to his Bias open Intersex and/or Transgender persons, due to Petitioners Transgender issues, was the Judge for Petitioners 28 USC § 2255, this denied due process under the Fifth Amendment, and pursuant to the Sixth Amendment's right to a Fair Tribunal. The Bias Judge, acting in Corrupt Bias Intentionally Ruled Contrary to clearly established Law, this opens this pursuant to the Savings Clause of 28 USC § 2255 (e) as Petitioner is actually Innocent and the Bias and corrupt Judge blocked her from any shot at seeking Relief and rendered her 28 USC § 2255 proceedings inadequate or ineffective and unavailable due to his corrupt Bias as a disqualified Judge. He intentionally subverted the judicial system in an abuse of power and discretion, by illegally failing to rule on Petitioners pre-trial motions in violation of Fed. R. Crim. P. 12 (d)(1), and the 5th Amendment, because he did not "want to deal with Transgender issues." (sentencing transcript 2-26-2018). The Bias and Corrupt Judge denied due process in Petitioners § 2255 when he lied and stated if Fly, stated that she was not and that she had made the decision with her attorney. (Doc. 132, Page 13, Line 5, 6). When Petitioner never denied being intimidated, threatened or coerced, and that she was tortured, and lied to, and promised the torture would stop. The actual statement was made under duress as follows: "well, it's a decision I made with my attorney." (Doc. 132, Page 19, Line 14). He also acted in Bias, corruption ruled that being tortured through Petitioner's serious medical conditions by the Respondents' prosecution who committed a Brazen upon the court at Detention Hearing September 22, 2016 promising to provide them to deprive her Bond in violation of the Fifth, Eighth, and Fourteenth Amendment. He ruled this was not cognizable in the context of a 28 USC § 2255. Rendering it ineffective or unavailable, leaving it to 28 USC § 2255(c) Savings Clause to provide Petitioner Relief for her Actual Innocence. He further acknowledged a defense counsel filed a motion to reconsider Fly's Pre-Trial Detention, specifically citing the Lack of attention to Fly's Medical Care (Doc. 132, Page 10, Lines 19, 1) (See Doc. No. 32), also "Fly sent a lengthy letter to the court complaining of the treatment" (Doc. 132, Page 10, Line 2). and "The court held a status conference, (at Line 3) (Doc. 39 and 93). This denial of Release violated 18 USC § 3164, and 18 USC § 3161, and the 6th and 8th Amendments, and the torment denied due process in violation of the 5th Amendment and the Bias Judge had authority to guard, protect, and enforce every right granted or secured by the U.S. Constitution, yet he failed to do his duty and rule in violation of Fed. R. Crim. P. 12 (d)(1). Because he did not "want to deal with Transgender issues" and continued to repeatedly, to intentionally misgender Petitioner to inflict trauma and emotional pain, and as an offensive language in regards to Petitioners gender, it violates the Prison Rape Elimination Act under 28 CFR § 115.6, and the 5th, 6th, 8th, and 14th Amendments of the U.S. Constitution, and the Administrative Procedures Act 5 USC § 552. Furthermore, he ruled contrary to clearly established Law, by stating that being "systematically tortured and subjected to cruel and unusual punishment," in deliberate indifference to their health and safety, (Doc. 132, Page 23 Line 3, 4/5) is "all in violation of the Eighth Amendment" when it was used to induce or coerce an unknowing and involuntary plea, and all outside the scope of a Petitioner's Pursuant to 28 USC § 2255. (Doc. 132, Page 23, Line 12/13). This is contrary to Ringsby v. Henrichson, 135 S.Ct. 466 (2022) (2022). Rather, than the 8th Amendment, violate the 5th and 14th Amendments, due to this Bias corruption and ongoing torture to affect the outcome of court proceedings, Petitioners only available remedy is 28 USC § 2241, as § 2255 is inadequate or unavailable.

Ground twenty: Illegal Execution of Sentence By BOP in Violation of the US Constitution Amendments 4, 5, 8, 13, and 14, The UN Convention Against Torture, The Convention Against Discrimination of all Women, The Declaration on Human Rights, Nelson Mandela Rule, and State and Federal Vulnerable Adult Laws, United States Code, Code of Federal Regulations, the Prison Rape Elimination Act, The Administrative Procedures Act, The Civil Rights Act of 1964, Farmer v. Brennan, 511 US 825 (1994); EN RE: BANNER, 151 US 240 (1894); Humphrey v. Cady, 405 US 504 (1973); Cameron v. Menard, 2019 US Dist. Lexis 164487 (D. VT. 2019); Tay v. Dennison, 427 F. Supp. 3d 657 (S.D. Cal. 2019); MONROE v. Baldwin, 428 F.3d 526 (S.D. Cal. 2019); Preiser v. Rodriguez, 411 US 475 (1973)

(A) SUPPORTING FACTS: 2019) MONROE v. Baldwin, 428 F.3d 526 (S.D. Cal. 2019); Preiser v. Rodriguez, 411 US 475 (1973)

The Federal Bureau of Prisons Respondent is illegally unconstitutionally executing Petitioner's Illegal Sentence, By placing her in the wrong institutional and repeatedly transferred to the wrong institutions in violation of the Eighth, Fifth, and Fourteenth Amendments, with intent to force rape, sexual, and physical assaults, abuse, and other cruel and unusual punishments by failing to place her in a facility for females. (Exhibit "A") Case No. 21-1495 (7th Cir. December 27, 2022). Even after being told by the Seventh Circuit Court of Appeals, that this would be best for her safety. DO. Pursuant to the Prison Rape Elimination Act, 28 C.F.R. § 115.42 (c), (d), ID, However, the Respondents have continuously acted in deliberate indifference to Petitioner's health and safety, and ignore the courts request, recommendations, and orders. The Respondents have beat forced rape, assaulted, sexually mutilated, and attempted to kill petitioner, for filing administrative remedies, civil rights, and Habeas corpus complaints and even discontinued or allowed for large medically necessary treatments in violation of petitioner's constitutional rights under the 5th, 8th, and 14th Amendments, and forced her into sexual servitude in violation of the 13th Amendment and 18 USC § 2421(c) by transferring her illegally unconstitutionally to male institution to be raped, and forced into sexual servitude, as an intersex female with genitalia that looks like Labial Folds and Labia Majora. (See Doc. 19-1, Page 2, Case No. 4:21-cv-00506-monsh) treating her differently than other similarly situated inmates with genitalia that looks like Labia Majora, who are placed in female facilities for this reason. Though pursuant to their own policy states not to house solely based upon genitalia status, they discriminate upon petitioner, solely as a BOP desire to do harm upon her, for being a born member of a politically unpopular group. The Respondents BOP continue to entirely disregard Petitioner's health and safety in violation of the U.S. Constitution, State and Federal Vulnerable Adult Laws, the UN Convention Against Torture, the Civil Rights of Institutionalized Persons Act, the Prison Rape Elimination Act, and the UN Convention Against Discrimination of all women. Petitioner asserts she needs to be placed in a female facility for her health and safety. The Respondents BOP have a long widespread and pervasive policy to force rape upon all women. Their false documents to cover it up, as seen in multiple media outlets nationwide. The Respondents have beat, tortured, and sexually mutilated petitioner, and threatened her to stop filing PREA reports and drop your lawsuits, and drop your Habeas appeal. To interfere with and deny due process with her. The Respondents BOP have also deprived petitioner her medically necessary gender affirming care, including surgeries and laser hair removal, social role transition therapy, use of female name and pronouns, cosmetics, and feminine sanitary needs, in violation of the First Step Act, with intent to harm petitioner and even allowed her medically necessary treatments and medications expire, to interfere with court proceedings and induce suicide or self-harm, and severe mental decomposition upon petitioner. She was denied surgeries simply due to not being at a female facility, and BOP has now acted in illegal post hoc justification by interfering with her gender affirming medications. The Respondents did this same thing to interfere with her criminal proceedings, this prejudiced her, denied due process upon her.



Ground twenty-one: ILLEGAL DENIAL OF RELEASE PLAN BY US PROBATION, UNDER 18 USC § 3582 (c), AND FIRST STEP ACT 'EXTRAORDINARY AND COMPELLING REASONS' DENIAL OF DUE PROCESS, AND EQUAL PROTECTIONS, IN VIOLATION OF THE 8TH AND 14TH, TO INFLICT CRUEL AND UNUSUAL PUNISHMENTS, IN VIOLATION OF THE 8TH AMENDMENT, CONCEPTION V. UNITED STATES, NO. 20-1650 (2022) ESTELLE V. GAMBER, 429 US 97, 403 P.2D 1474, PETER V. RODRIGUEZ, 41 US 745 (1973).

(a) SUPPORTING FACTS: The Respondents US Probation, Illegally Unconstitutionally deprived Petitioner of her Release for Extraordinary and Compelling Reasons pursuant to The First Step Act's Retrautive Provisions, and pursuant to 18 USC § 3582 (c). US Probation denied Petitioner's immediate release to the residence she owns outright, bought and paid for. The Respondents US Probation further denied Petitioner's Release Plan to immediately report for treatment by Petitioner's specialist physicians, and mental/physical health professionals, to further inflict emotional distress, anxiety, gender dysphoria, chronic pain, and Raynaud's upon Petitioner, and to deprive her of returning to her community residence, and being an intersex female in that residence, due to their personal discrimination upon her intersex and/or transgender female status, acting in discriminatory bias upon Petitioner's intersex and/or transgender female continue to illegally Unconstitutionally misgender Petitioner in violation of PREA Law 28 CFR, §§ 115.6 and The Eighth, Fifth, and Fourteenth Amendment. The US Probation placed known false and perjurious statements in Petitioner's PSIR to obtain illegal sentencing enhancements, induce prejudice bias upon Petitioner and deprivation of medically necessary treatments, and to induce rape, sexual, and physical violence and harassment upon her, and force her wrongfully into male institutions to be repeatedly raped, and denied medical care. The illegally unauthorized enhancements pursuant to Mathis and Haymond in the US Supreme Court was the result of inducing or inciting bias by the judge, and incited bias and violence by prison and jail officials upon Petitioner, and a sentence far above guidelines, including LIFETIME supervised release, which essentially could result in Petitioner being permanently denied release, or an arbitrary and capricious revocation resulting in a life sentence in prison when Petitioner's statutorily charged offense, the courts had no jurisdiction to order has a 10 year maximum, in which she is illegally serving, though only less than 1% of prisoners are sentenced to that. This is a severe and harsh sentence disparity in violation of the 5th, 6th, 8th, and 14th Amendments to the US Constitution. US Probation is illegally forcing perpetual incarceration of Petitioner. Due to their known use of perjurious evidence, statements, and reports, Petitioner has been deprived medically necessary surgeries, First Step Act programming for publicly release, higher security level illegally in male institutions to be raped by 75 separate male inmates and staff members, and deprived medicine and medically necessary accommodations, and resulted in a longer sentence than promised in an unlawful involuntary coerced plea. The US Probation's use of false and perjurious PSIR has also resulted in loss of privileges including email, and an illegal Walsh Act and SORNA enhancement. Petitioner would have been out of prison without this denial of due process, and infliction of cruel and unusual punishments, in violation of the US Constitution, under the 5th, 6th, 8th, and 14th Amendment, The First Step Act pursuant to CONCEPTION V. UNITED STATES, UNITED STATES V. HAYMOND, IN THE US SUPREME COURT.

GRAVED TWENTY-TWO! ILLEGAL EXECUTION OF SENTENCE - DENIAL OF DUE PROCESS BY IMPOSING CRUEL AND UNUSUAL PUNISHMENTS TO INTERFERE WITH CRIMINAL PRETRIAL AND HABEAS PROCEEDINGS, AND CIVIL RIGHTS LITIGATION PROCEEDINGS BY ILLEGALLY UNCONSTITUTIONALLY DELAYING, DENYING, OR INTERFERING WITH MEDICAL TREATMENTS ONCE PRESCRIBED! ESTELLE V. GAMBLE 429 US 97, 103-105 (1976) IN VIOLATION OF THE FIFTH AND EIGHTH AMENDMENTS OF THE US CONSTITUTION, AND THE STATE AND FEDERAL VULNERABLE ADULT LAWS, AND THE ADMINISTRATIVE PROCEDURES ACT 5 U.S.C. §§ 702-704, 706.

#### (A) SUPPORTING FACTS:

The Respondents are ILLEGALLY EXECUTING PETITIONERS ILLEGAL SENTENCE, THAT WAS ILLEGALLY OBTAINED BY A PRAID UPON THE COURT. THE RESPONDENTS PROSECUTION INTENTIONALLY, WILLFULLY, AND KNOWINGLY LIED TO THE COURT WITH INTENT TO DECEIVE THE COURT, AND DID DECEIVE THE COURT ON SEPTEMBER 22, 2016 BY STATING: "THE HORMONE THERAPY HAS BEEN APPROVED AND ITS ON ITS WAY YOUR HONOR." THEN AFTER PETITIONER HAD MOTIONED THE COURT IN REGARDS TO THIS A STATUS CONFERENCE WAS HELD ON JUNE 7, 2017, IN WHICH THE RESPONDENTS PERSECUTION NOTED THE BIAS JUDGE HOWLAND'S HATE TOWARD INTERSEX AND OR TRANS GENDER FEMALE STATUS BY STATING IT WAS DUE TO HER GENDER IDENTITY ISSUES, THAT THEY WERE VIOLATING VIRTUALLY ALL OF HER RIGHTS THEN AGAIN AT SENTENCING ON FEBRUARY 22, 2018, THE RESPONDENTS PROSECUTION INCITED FURTHER BIAS UPON THE JUDGE, BY USING KNOWN FALSE AND PERJURIOUS EVIDENCE, STATEMENTS, AND TESTIMONY TO, SO INJECT THE PROCEEDINGS AS TO DENY DUE PROCESS UPON PETITIONER, AND ALTER HER ILLEGALLY OBTAINED ILLEGAL SENTENCE AND INCITE A DOMINO EFFECT OF HATE UPON PETITIONERS GENDER, GENDER IDENTITY, AND/OR GENDER AFFIRMING TREATMENT AND CARE, BY ALSO USING THE SAME PREJUDICE FALSE INFORMATION IN PETITIONERS PSIR, WHICH HAS RESULTED IN PETITIONER BEING PERPETUALLY DENIED, DECEIVED, OR INTERFERED WITH IN HER MEDICALLY NECESSARY GENDER AFFIRMING TREATMENTS, ON OR AROUND JANUARY 17, 2023, OR SOON THEREAFTER, PETITIONERS GENDER AFFIRMING TREATMENTS EXPIRED AND DR. S. WAITE REFUSED TO CONTINUE THIS, AND PETITIONER WAS DEPRIVED THIS AND OTHER CARE INCLUDING MEDICALLY NECESSARY ACCOMMODATIONS FOR RAYNAUDS, ASTHMA, ALLERGIES, CHRONIC PAIN, NERVE PAIN, SEIZURES, SAFETY, ORTHOTICS, GLASSES, GLOVES, SINGLE WHEEL, LOWER BENCH, LOWER LEVEL, AND HYPOGLYCEMIA, AND FEMALE ONLY VISIT AND PAT SEARCH AND ESCORT. PETITIONER ASSERTS THESE WERE ARBITRARILY AND CAPRICIOUSLY ALLOWED TO EXPIRE, TO INTERFERE WITH HER COURT PROCEEDINGS, JUST AS THEY DID IN HER CRIMINAL PROCEEDINGS. IN DECEMBER 2022, THERE WERE SEVERAL DAYS PETITIONER WAS DEPRIVED HER MEDICATIONS ARBITRARILY. SOMETIMES SINCE BEING IN STATE, BOP OFFICIALS HAVE USED THIS DEPRIVATION AS PUNISHMENT FOR ATTEMPTING TO SEND HER LEGAL MAIL TO THE COURT, IN HABEAS AND CIVIL RIGHTS LITIGATIONS, TO INTERFERE WITH THE PROCESS, AND EFFECT THE OUTCOME OF THE PROCEEDINGS JUST LIKE IN HER PRE-TRIAL PROCEEDINGS, TO DENY DUE PROCESS IN VIOLATION OF THE 5TH, 8TH AND 14TH AMENDMENTS, STATE AND FEDERAL VULNERABLE ADULT LAWS, THE ADMINISTRATIVE PROCEDURES ACT. THE RESPONDENTS ARE ILLEGALLY UNCONSTITUTIONALLY EXECUTING PETITIONERS ILLEGAL SENTENCE AND THIS IS A BREACH OF PETITIONERS ILLEGALLY TORTURED AND COERCED PLEA THAT IS UNKNOWING AND INVOLUNTARY, AS SHE WAS PROMISED "THE TORTURE WILL STOP, YOU'LL GO HOME TIME SERVED, AND TAKE CARE OF YOUR SERIOUS MEDICAL CONDITION OR GENDER DYSPHORIA AND RAYNAUDS, AND GET BACK ON YOUR HORMONE THERAPY AND MAKE DO A YEAR AT TWO OF SUPERVISION." (CHRIS BELLMORE - DEFENSE COUNSEL)



GROUND TWENTY-THREE: DENIAL OF DUE PROCESS IN DISCIPLINARY PROCEEDINGS, BY LYING ON DISCIPLINARY INCIDENT REPORTS TO COVER UP U.S. DOJ OFFICIALS MISCONDUCT, SEXUAL AND PHYSICAL ABUSES, TORTURE, DENIAL OF MEDICALLY NECESSARY TREATMENTS, AND TO COVER UP INTENTIONAL SERIOUS INJURIES, RESPONDENTS HAVE INFLICTED UPON PETITIONER, WITH THE INTENT TO INTERFERE WITH HER HABEAS AND CIVIL RIGHTS LITIGATIONS, AND DISRUPT HER FROM THE ADMINISTRATIVE REMEDIES AND FREYA PROCESSES, AND FEDERAL TORT CLAIM PROCESSES. THIS "SO INFECTED THE DISCIPLINARY HEARING PROCESS" WITH UNFAIRNESS AS TO MAKE THE RESULTING CONVICTIONS A DENIAL OF DUE PROCESS. Borden v. NAWRIGHT, 477 U.S. 162, 181 (1986); DONNELLY V. CHRISTOPHO, 416 U.S. 637, 646 (1974). BECAUSE THE FIFTH AND FOURTEENTH AMENDMENT CANNOT TOLERATE A FEDERAL CRIMINAL OR DISCIPLINARY CONVICTION OBTAINED BY THE KNOWING USE OF FALSE EVIDENCE. CATSON V. BORDEN, 507 F.2d at 646.

### (C) SUPPORTING FACTS:

THE RESPONDENTS CUSCUMANT BOP, HAS REPEATEDLY ABUSED ITS POWER, BY ABUSING PETITIONER, THEN FALSELY INCIDENT REPORTS TO COVER UP THEIR ABUSE. MUCH LIKE THE POLICE OFFICERS WHO KILLED THE BLACK MAN IN MEMPHIS, TENNESSEE RECENTLY, AND GEORGE FLOYD, AND OTHERS. PETITIONER DID NOT HAVE ANY DISCIPLINARY CONVICTIONS, UNTIL SHE REPORTED BEING SEXUALLY ASSAULTED, AND FURTHER REPORTED STAFF ABUSE, STAFF WEARING VIOLENCE, AND OTHER STAFF MISCONDUCT. THEN UPON ILLEGALLY BEING PLACED IN SHU FOR NO VERIFIABLE REASON, ON MANUFACTURED STATEMENTS, WHICH NEVER RESULTED IN A FORMAL CHARGE, OR CONVICTION, AND UPON REQUESTING TO BE RETURNED TO THE COMPOUND TO COMPLETE her 28 USC § 2255 AND CIVIL RIGHTS LITIGATION PAPERWORK, WHILE AT FCI ENGLEWOOD (LOW-CUSTODY FACILITY), AND ABOUT THE TIME PETITIONER WAS INTERVIEWED BY THE OFFICE OF INTERNAL AFFAIRS (OIA) / SPECIAL INVESTIGATIONS ADMINISTRATOR (SIA) IN REGARDS TO THE STAFF MISCONDUCT AND SHE BELIEVES RESULTED IN A SUSPENSION OF 7 TO 14 DAYS, THEN C.O. A. RITCHIE, LIED ON AN INCIDENT REPORT, AND CHARGED PETITIONER WITH CODES 203, 206, AND 209, BECAUSE, PETITIONER WAS PROMISED TO REMAIN SINGLE CELL / POSSESSION ALONE, AS SHE HAD BEEN SEXUALLY ASSAULTED BY HER TRANSGENDER INMATE CELL MATE, PETITIONER, STATED: "I DON'T WANT TO BE Raped AGAIN IN MY CELL, AND PURSUANT TO PRE-LAW 28 CFR § 115.42 (a)(1)(E) AND FARMER V. BRENNAN, YOU NEED TO GIVE ME SERIOUS CONSIDERATIONS, AND IF ANYTHING HAPPENS TO ME, THAT IS DELIBERATE INDIFFERENCE TO MY HEALTH AND SAFETY. C.O. RITCHIE, SAID: "I DON'T GIVE A F\*\*K ABOUT YOUR HEALTH AND SAFETY, AND YOU AIN'T GOT NOTHING COMING FROM ME, YOU PIECE OF SHIT". HE THEN SHOWED OTHER INMATES HE STOLE HER CANDY BARS, AND ATE THEM. HE SAID "THANK YOU, FLY". HER CANDY BARS WERE MISSING, AS WELL AS HER SWEAT SHIRTS / PANTS, MAKEUP, RAZORS, AND HANDS. PETITIONER'S HYGIENE, SHAMPOOS, CONDITIONERS, SOAPS, MAKEUP, LEGAL SUPPLIES, AND OTHER ITEMS WERE MISSING AS WELL. AFTER C.O. A. RITCHIE'S COWORKER ASSOCIATE / FEMALE FRIEND FOUND PETITIONER WRONGLY ARBITRARILY GUILTY OR THREATENING BODILY HARM UPON INMATE BRENNER, OFFICIALS AGAIN ATTEMPTED TO PLACE THIS DANGEROUS SEX OFFENDER IN PETITIONER'S CELL, THOUGH THEY BOTH HAD BOTTOM BUNK MEDICAL DUTY STATUS RESTRICTIONS, THEN LATER FORCED THE TWO INTO A RECREATION CAGE ACTING IN DELIBERATE INDIFFERENCE TO BOTH OF THE INMATES HEALTH AND SAFETY, IN VIOLATION OF THE EIGHTH AMENDMENT UNDER FARMER V. BRENNAN, AS THEY KIED AND SAID PETITIONER WOULD ESSENTIALLY KILL RAFE, AND BE DISRUPTIVE, BY DOING THIS TO INMATE BRENNER, FOUND HER GUILTY, AND IGNORED THAT, TO MAKE IT HAPPEN, OR MORE LIKELY, THEY ALL KNEW THE DISCIPLINARY ACTION WAS FALSELY ALLEGED, AND VIOLATED DUE PROCESS, AND USED THIS TO TRANSFER PETITIONER BACK TO USP YAZOO, WHERE STAFF ABUSED, AND TRIED TO KILL PETITIONER. THIS RESULTED IN A DOMINO EFFECT OF FALSELY ALLEGED INCIDENT REPORTS, FOR CODE 203, AND 305, 306, 307, AND 224 AND 201, AND OTHERS IN WHICH WERE FALSELY ALLEGED, NEVER HAPPENED, AND WERE ASSOCIATED WITH STAFF ABUSES UPON PETITIONER TO COVER THEM ALL UP. THIS DENIED DUE PROCESS IN VIOLATION OF THE 5TH AMENDMENT OF THE US CONSTITUTION.



Ground Twenty Four: DENIAL OF DUE PROCESS IN ILLEGALLY EXECUTING AN UNAUTHORIZED PUNISHMENT. The BOP illegally placed illegally unconstitutional unauthorized punishments as "Walsh Act" notification to deprive email to legal advocates, sex offender public safety factor to raise custody level, and to deny early release by denying PROGRAMS essential to prisoners FIRST STEP Act requirements. Respondents have illegally deprived medically necessary gender affirming treatments and surgeries in violation of the US Constitution.

#### (A). SUPPORTING FACTS:

The Respondents have illegally unconstitutionally placed Petitioner under additional unauthorized restraints, by placing a "WALSH ACT" notification to incite prejudice upon Petitioner. "WALSH ACT" requires a minor to be involved in petitioner's offense. There were no minors involved in Petitioner's case. It is not a WALSH ACT offense. Due to this, Petitioner is being deprived her medically necessary treatments, programming for FIRST STEP Act early release, and email correspondence through the inmates, while similarly situated inmates are provided this. Even those with cases involving a minor. This has also resulted in an unauthorized public safety factor of "sex offender" which USSC § 501.2 C.M.T.N. clearly states a "sex offense" is an offense perpetrated upon a minor, i.e., and a "minor" is a person who has not attained age of 18. ID, this has prejudiced Petitioner by a quantum increase in the level of custody, from a minimum/low custody level to a high, and from a time served sentence, to one that is not only maximum sentence authorized by law, but an additional LIFE sentence of supervision, which is not authorized for Petitioner's statutorily defective and uncharged offense, which no minors were involved. This has further prejudiced Petitioner by a breach of plea contract which was tortured and coerced upon her. Petitioner was promised by her defense counsel that none of these things would apply to her case, and she would go home time served, the torture would stop, and be able to get her gender affirming care and maybe 10 or 20 years of supervision. Petitioner is further prejudiced by being deprived gender affirming programming available by the FIRST STEP Act to reduce sentence and provide an early release from prison. This further has prejudiced Petitioner by BOP depriving her of medically necessary gender affirming treatments, medications, accommodations, housing assignments, and surgeries. Then further prejudicing Petitioner by failing to place her in a female institution, to attend the RESOLVE program for her rape trauma syndrome, a complex form of post-traumatic stress disorder, due to BOP's placing Petitioner to be raped by 75 separate biologically born male inmates and multiple staff members. This intentional infliction of emotional distress, sexual/physical assault, sexual abuse, forced prostitution/sexual slavery, sexual harassment, and denial of care, due to not being properly in a female institution violates the 5th, 8th, and 13th, and 14th Amendments to the U.S. Constitution, by denying due process, equal protections, and inflicting cruel and unusual punishments upon Petitioner. Petitioner is further being deprived email access to legal advocates, and gender affirming advocates, and religious advocates, to address the foregoing issues, Petitioner's actual innocence appeals, and civil rights litigations. Petitioner has further been prejudiced by being placed into a maximum security sex offender facility to be raped and victimized, tortured, extorted, beat, and harassed in violation of the 5th and 8th Amendments. Petitioner is being denied gynaecology, school and gender correction surgery in violation of the 5th, 14th and 8th Amendments, due to BOP's discrimination and illegal blanket policies, simply because Petitioner is at a male facility, and/or because falsely alleged disciplinary sanctions to cover up BOP's abuse upon Petitioner in violation of 5th, 8th, and 14th Amendments.

29 (a)



BOP OFFICIALS LEFT PETITIONER IN A CELL WITH RAY L. BRYANT TO BE REPEATEDLY RAPED, EVEN THOUGH PETITIONER INFORMED EVERY STAFF MEMBER THAT PASSED BY HER CELL, THAT SHE WAS GOING THROUGH THE CONTINUOUS TORTURE OF BEING RAPED EVERYDAY. THE BOP OFFICIALS FAILED TO ACT AND FAILED TO PROTECT HER IN VIOLATION OF THE U.S. CONSTITUTION, UNDER THE 5TH, 8TH, 13TH, AND 14TH AMENDMENTS. BOP OFFICIALS REFUSED TO EXTRACT PETITIONER FOR HER HEALTH AND SAFETY. IN VIOLATION OF BOP'S OWN POLICY PURSUANT TO PROGRAM STATEMENT 5324.12 UNDER THE PRISON RAPE ELIMINATION ACT, PURSUANT TO 28 C.F.R. §§ 115.61, 115.62, 115.64, 115.65, 115.67, 115.72. THIS FURTHER VIOLATES THE 5TH, 8TH, AND 13TH, AND 14TH AMENDMENTS TO THE US CONSTITUTION AND THE CONVENTION AGAINST TORTURE. THE RESPONDENTS ARE CLEARLY ON NOTICE SINCE *PURMER V. BRENNAN*, 511 US 825 (1994) WAS RULED ON THEM, AFTER BOP ALLOWED A TRANSEXUAL TO BEG, BEAT, RAPED, AND SUBJECTED TO INFECTION OF DEADLY MALADIES, SUCH AS HIV. PETITIONER OBTAINED NEWLY DISCOVERED EVIDENCE IN REGARDS TO THE FOREGOING. NURSE J. WILLIAMS STATED THAT HE RECALLS, THAT UPON PETITIONER INFORMING HIM THAT SHE WAS BEING RAPED EVERYDAY IN HER CELL THAT THE EXECUTIVE STAFF INCLUDING THE 5TH LIEUTENANT, CAPTAIN, ASSOCIATE WARDEN AND WARDEN, ALL INFORMED HIM UNDER DIRECT ORDERS TO LEAVE PETITIONER IN THE CELL TO CONTINUE BEING RAPED. THIS CONFIRMATION WAS IN THE PRESENCE OF KEITH RANIERE, AND SUPPORTED BY AFFIDAVIT OR DECLARATION. THIS IS SIGNIFICANT CIRCUMSTANTIAL EVIDENCE, PROVING ABSOLUTE MALICE. THE RESPONDENTS HAVE CLEARLY ACHED WITH SADISTIC AND MALICIOUS EVIL INTENT TO DO HARM UPON PETITIONER, IN EXECUTING HER SENTENCE ILLEGALLY IN VIOLATION OF THE U.S. CONSTITUTION. THE RESPONDENTS HAVE LIED UNDER PENALTY OF PERJURY TO COMMIT A FRAUD UPON THE COURT, ACTING IN A CONSPIRACY TO DEPRIVE RIGHTS, AND FORCE Rape, sexual / physical ASSAULTS, ABUSE, AND SEXUAL HARASSMENT UPON PETITIONER TO COERCE UP Rape, dissuade PETITIONER FROM HER Habeas corpus, CIVIL RIGHTS, AND ADMINISTRATIVE REMEDY PROCEEDINGS; WITH INTENT TO HINDER THE due ADMINISTRATION OF JUSTICE, AND AN INVESTIGATION BY A Federal JUDGE IN VIOLATION OF 18 USC §§ 1503 AND 1512. BY SEXUALLY ABUSING PETITIONER IN VIOLATION OF 18 USC §§ 2241, 2242, 2243, PETITIONER IS ACTUALLY INNOCENT AND BEING ILLEGALLY HARMED BY THE RESPONDENTS. THE RESPONDENTS ILLEGALLY HAVE ILLEGALLY DELAYED, DENIED, OR INTERFERED WITH PETITIONER'S MEDICAL TREATMENTS ONCE PRESCRIBED, WITH INTENT TO EXECUTE THE DEATH PENALTY UPON PETITIONER BY HOMICIDE OR INFLECTING WITH HIV/AIDS, OR BY INTENTIONALLY INFLECTING EMOTIONAL DISTRESS TO INDUCE SUICIDE UPON PETITIONER. PETITIONER'S CUSTODY AND SENTENCE ARE BEING ILLEGALLY EXECUTED AND SHE SHOULD BE IMMEDIATELY UNCONDITIONALLY RELEASED FROM HER ILLEGAL CUSTODY.



GROUND TWENTY-SIX: ILLEGAL Execution of sentence. Repeated and VIRTUALLY PERPETUAL PLACEMENTS IN THE SPECIAL HOUSING UNIT, ADMINISTRATIVE SEGREGATION, OR OTHER SEGREGATION; IN RETALIATION FOR REPORTING VIOLATIONS OF THE PRISON RAPE ELIMINATION ACT, FILING CIVIL RIGHTS AND HABEAS CORPUS LITIGATIONS, AND STAFF MISCONDUCT, AND OTHER ADMINISTRATIVE REMEDIES, THE RESPONDENTS BOP, USES SHU TO FORCE RAPE UPON PETITIONER, TO TORTURE HER, AND VIOLENTLY ASSAULT HER TO DISUAGUE HER FROM REPORTING THEIR ABUSE TO THE COURTS, AND TO FORCE HER INTO SEXUAL SERVITUDE, WHILE IGNORING HER PRESCRIBED "SINGLE CELL" ACCOMMODATIONS BY DR. BRUCE BIALOR, MD, AND DR. BRIAN REDONDO, MD, IN DELIBERATE INDIFFERENCE TO HER HEALTH AND SAFETY, WITH INTENT TO SADISTICALLY AND MALICIOUSLY FORCE PETITIONER INTO SEXUAL SLAVERY, BY BEING RAPED DAILY. IN HER CELL, IN VIOLATION OF THE 1ST, 4TH, 5TH, 6TH, 7TH, 8TH, 13TH, AND 14TH AMENDMENTS OF THE US CONSTITUTION, RESPONDENTS HAVE USED SHU TO DENY ACCESS TO COURTS AND LAW LIBRARIES, PETITIONER IS DEPRIVED PROGRAMMING UNDER THE FIRST STEP ACT AND EARLY RELEASE.

### (A) SUPPORTING FACTS:

THE RESPONDENTS BOP HAVE REPEATEDLY VIRTUALLY PERPETUALLY PLACED PETITIONER IN THE SPECIAL HOUSING UNIT (SHU) TO ABUSE HER, ILLEGALLY AND UNCONSTITUTIONALLY IN VIOLATION OF THE 1ST, 4TH, 5TH, 6TH, 7TH, 8TH, 13TH AND 14TH AMENDMENTS TO THE US CONSTITUTION. PETITIONER HAS BEEN RAPED BY 75 SEPARATE BIOLOGICALLY BORN MALE INMATES AND SEVERAL STAFF MEMBERS. THE BOP OFFICIALS HAVE FORCED PETITIONER INTO CELLS IN SHU, WHERE SHE IS IN A CELL, LOCKED UP FOR LONG PERIODS OF 23 HOURS OR MORE PER DAY. SOMETIMES 24 HOURS A DAY, FOR MONTHS AT A TIME. BOP STAFF FORCE PETITIONER IN CELLS WITH VIOLENT AND DANGEROUS SEXUALLY VIOLENT BIOLOGICALLY BORN MALE INMATES, TO BE RAPED DAILY. THEN WHEN SHE INFORMED STAFF THAT SHE WAS BEING RAPED DAILY, SHE WAS LEFT IN THE CELL IN DELIBERATE INDIFFERENCE TO HER HEALTH AND SAFETY. WHEN SHE TOLD LT. JOHNSON, HE STATED "STOP FUCKING WITH MY STAFF PLY, YOUR IN MY WORLD NOW, LEARN TO PICK OR FIGHT". PETITIONER WAS LEFT IN THE CELL TO BE RAPED, FOR 30 ADDITIONAL DAYS, WHILE LOCKED IN THE CELL. PETITIONER SUBSEQUENTLY AT A LATER DATE, WAS FORCED INTO A CELL TO BE RAPED, AND WITHIN MINUTES SHE WAS RAPED, NOTICED STAFF ON SEVERAL SHIFTS OVER AN 18 PLUS HOUR PERIOD, AND RAPED AGAIN, ONLY BEING FINALLY REMOVED TO ATTEND RECREATION DURING HER RAPE KIT AT THE HOSPITAL. THE PHYSICIAN PSYCHIATRIST PRESCRIBED SINGLE CELL ISOLATION FOR HER HEALTH AND SAFETY. PETITIONER WAS PRESCRIBED SINGLE CELL ACCOMMODATIONS BY DR. BRUCE BIALOR ON DECEMBER 4<sup>TH</sup>, 2019 FOR PETITIONER'S HEALTH AND SAFETY UPON HIS GYNOCOLOGICAL EXAMINATION, WHERE HE FOUND HER GENITALIA LOOKED LIKE LABIA MAJORA. (SEE DOC. 14-1 PAGE 2, CASE NO. 4121-CV-00560-TOX 642). PETITIONER WAS AGAIN PRESCRIBED SINGLE CELL ACCOMMODATIONS FOR HER HEALTH AND SAFETY IN 2020, TO PREVENT IMPROVEMENT IN MENTAL STABILITY WHILE IN SINGLE CELL. PETITIONER SHOWED NOTED IMPROVEMENT IN MENTAL STABILITY WHILE IN SINGLE CELL. THE BOP HAS SINCE FORCED HER INTO CELLS TO BE RAPED. IN DECEMBER 2021 PETITIONER INFORMED STAFF SHE WAS BEING RAPED IN HER CELL BY RAY L. BRYANT. NURSE J. WILLIAMS SAID THE EXECUTIVE STAFF, WARDEN, CAPTAIN, ETAL. TOLD HIM TO LEAVE PETITIONER TO BE RAPED. SHE CONTINUED TO BE RAPED DAILY. IN DECEMBER 21-29, 2021, SHE WAS RAPED DAILY. IN AUGUST 2022 THROUGH SEPTEMBER 2022, PETITIONER WAS RAPED DAILY. WAS BEING ASSAULTED, AND ABUSED IN HER CELL. PETITIONER TO SHU STAFF SHE WAS BEING ASSAULTED, AND ABUSED IN HER CELL. PETITIONER WAS RAPED DAILY. UPON RETURNING FROM BANNER HOSPITAL, AND SUICIDE WATCH, AFTER EDWIN PEREZ LEADER KEITH RAMIERA, AS BOP STAFF ENJOY RAPE UPON PETITIONER AS A SADISTIC FORM OF ENTERTAINMENT, IN VIOLATION OF THE 5TH AND 8TH AMENDMENT OF US CONSTITUTION.

GROUND TWENTY-SEVEN: ILLEGAL EXECUTION OF SENTENCE BY REPETITIVE TRANSFERS

to male facilities to be raped in violation of 18 USC §§ 2421(a), 2241, 2242, 2243, 2246, and the PRISON RAPE ELIMINATION Act pursuant to 28 CFR, §§ 115.6, 115.13(a), (b), (c), 115.42(a), (c), (e), 115.61, 115.62, 115.64, 115.65, 115.67, 115.72; The CIVIL RIGHTS OF INSTITUTIONALIZED PERSONS Act; THE MANN Act; ARIZONA VULNERABLE ADULT LAW; UNITED STATES VULNERABLE ADULT LAW; THE UN\* CONVENTION AGAINST TORTURE; THE CONVENTION ON DISCRIMINATION AGAINST ALL WOMEN; THE U.S. CONSTITUTION PURSUANT TO AMENDMENTS 1, 4, 5, 6, 7, 8, 13, AND 14; THE CIVIL RIGHTS Act of 1964 PURSUANT TO BOSTOCK V. CLAYTON CITY, 140 S.Ct. 1731, 1741-1742 (2020); THE RELIGIOUS FREEDOMS RESTORATION Act (RFRA); THE RELIGIOUS LAND USE OF INSTITUTIONALIZED PERSONS Act (RLUIPA); THE UNIVERSAL DECLARATION OF HUMAN RIGHTS; THE GENEVA CONVENTION; THE NELSON MANDELA RULE; THE ADMINISTRATIVE PROCEDURES Act PURSUANT TO 5 USC, §§ 402, 706, 706a, and FARNER V. BRENNAN, 511 US 825 (1994); ESTELLE V. GAMBLE, 411 US 97, 103-105 (1976); AND 7TH CIRCUIT COURT OF APPEALS ORDER OF DECEMBER 27, 2022 (RECOMMENDING TO PLACE IN PERMANENT INSTITUTION FOR PETITIONER'S SAFETY PURSUANT TO RFRA: 28 CFR §§ 115.62(a), (c), which recommendations have been ignored.

(A) SUPPORTING FACTS:

THE RESPONDENTS BOP AND US MARSHAL SERVICE HAVE ILLEGALLY USED TRANSFERS TO DENY DUE PROCESS, deny medically necessary treatments, care, medications, surgeries, and accommodations, to ILLEGALLY INTERFERE WITH THE DUE ADMINISTRATION OF JUSTICE, IN COURT PROCEEDINGS, INCLUDING PRE-TRIAL AND POST CONVICTION APPEALS, HABEAS CORPUS, AND CIVIL RIGHTS LITIGATIONS, and to INTERFERE WITH AN INVESTIGATION BY A FEDERAL JUDGE, IN VIOLATION OF 18 USC §§ 1503, 1510, 1512, AND THE RECD Act. THE RESPONDENTS HAVE ILLEGALLY TRANSFERRED PETITIONER IN VIOLATION OF THE PRISON RAPE ELIMINATION Act, TO MALE FACILITIES TO BE RAPED, IN VIOLATION OF 28 CFR, § 115.42(a), (c), (e). AND ARE NOW ATTEMPTING TO ILLEGALLY TRANSFER PETITIONER IN VIOLATION OF FEDERAL RULES OF APPELLATE PROCEDURE RULE 23, AS THEY PREVIOUSLY DID IN PETITIONER'S PREVIOUS HABEAS TO DENY DUE PROCESS UPON HER. THE RESPONDENTS HAVE DENIED DUE PROCESS BY LYING ON INCIDENT REPORTS TO COVER UP THEIR RAPE, ASSAULT, TORTURE, AND OTHER ABUSE UPON PETITIONER, AND LIE TO THE COURTS STARTING PETITIONER COMMITTED AN OFFENSE, WHEN IN FACT AND TRUTH, SHE DID NOT. DURING PETITIONER'S PRE-TRIAL PROCEEDINGS, SHE WAS REPEATEDLY ILLEGALLY TRANSFERRED TO DENY DUE PROCESS, CONSPIRACIOUSLY DENY LEGAL DEFENSE COUNSEL, BY TRANSFERRING PETITIONER TO DIFFERENT STATES, OR WHAT AMOUNTS TO A 16 HOUR TRIP FOR HER LEGAL COUNSEL TO VISIT, OR, HE FAILED TO DO SO, AS DISCUSSED IN PETITIONER'S LETTERS TO THE COURT, AND SUBSEQUENT STATUS CONFERENCE HEARING IN REGARDS TO THIS, AND THE DENIAL OF PETITIONER'S MEDICAL TREATMENTS FOR HER INTERSEX RELATED CONDITIONS, INCLUDING GENDER DYSPHORIA, WHERE, THE RESPONDENTS, INTENTIONALLY TRANSFERRED HER AWAY FROM HER SPECIALIST ENDOCRINOLOGIST, TO DEPRIVE HER OF MEDICALLY NECESSARY HORMONE REPLACEMENT THERAPY, THAT THEY EXECUTED A FRAUD UPON THE COURT, BY PROMISING THE COURT ON SEPTEMBER 22, 2016 AT THE DETENTION HEARING TO PROVIDE TO HER, THEN TOLD THE JAILS AND THEIR MEDICAL STAFF, NOT TO PROVIDE IT, TO INTENTIONALLY EXACERBATE EMOTIONAL DISTRESS UPON PETITIONER, WITH INTENT TO TORTURE HER INTO A PLEA AGREEMENT TO A NEW EXISTENT OFFENSE, AND SEVERELY INTERFERE WITH THE PROCEEDINGS TO DENY DUE PROCESS, EQUAL PROTECTIONS, AND A FAIR UNBIASED TRIBUNAL, THROUGH INFLICTION OF CRUEL AND UNUSUAL PUNISHMENTS. PETITIONER ASSERTS, RESPONDENTS HAVE CONTINUED THIS ILLEGAL MISCONDUCT, RESULTING IN PREJUDICE UPON HER, BY A WRONGFUL CONVICTION AND SENTENCE, SHE IS ACTUALLY INNOCENT OF SEVERAL WRONGFUL DISMISSALS OF HABEAS, APPEALS, AND CIVIL RIGHTS LITIGATIONS. SHE FURTHER ASSERTS, THEY HAVE NOW CONTINUED WITH THESE SAME ILLEGAL METHODS, BY COMMITTING A FRAUD UPON THE COURT TO THE US DISTRICT OF ARIZONA IN CIVIL CASE NO. 4:21-cv-00508-TUC-SHR, TO ILLEGALLY INTERFERE WITH THAT CASE, AND HAVE RECENTLY AWARDED HER MEDICALLY NECESSARY TREATMENTS, ACCOMMODATIONS, CARE, AND MEDICATIONS TO EXPIRE WITHOUT RENEWING THEM, TO INTENTIONALLY INFLICTION EMOTIONAL DISTRESS AND INDUCE HOMICIDE, AND/OR SUICIDE, AND/OR HOMICIDE THROUGH SUICIDE UPON HER, WITH INTENT TO ILLEGALLY TRANSFER HER TO DEPRIVE TREATMENT AND KILL HER, TO INTERFERE WITH THE DUE ADMINISTRATION OF JUSTICE IN VIOLATION OF 18 USC § 1503 AND 18 USC § 1512 IN THE INSTANT CASE AND BOTH THE HABEAS AND CIVIL RIGHTS LITIGATIONS.



The Respondents Have Illegally Unconstitutionally Used TRANSFERS UPON PETITIONER TO INTENTIONALLY DO SEVERE HARM, ENJOY, and MURDER UPON HER, and further include Rape, and Assaults upon her. The Respondents Have Intentionally Unconstitutionally Illegally TRANSFERRED and/or PLACED PETITIONER IN Violently Active Gang RAN, Biologically BORN Male NON-PROTECTIVE CUSTODY FACILITIES, TO INFLICT MURDER AND ASSAULT UPON PETITIONER. The Respondents THEN TRANSFERRED PETITIONER TO PROTECTIVE CUSTODY Biologically BORN Male FACILITIES TO INFLICT Rape UPON PETITIONER, THEN IN RESPONSE AND RETALIATION FOR REPORTING Rape, and other Violence By Staff member Respondents, PETITIONER'S FILING OF CIVIL ACTION and Habeas corpus. The Respondents Intentionally SENT PETITIONER TO THE KAZEM MOST DANGEROUSLY VIOLENT Active Gang member Biologically BORN Male FACILITY NON-PROTECTIVE CUSTODY FACILITY, IN THE REGION, IN FLORENCE COLORADO TO KILL PETITIONER AS THEY DID TO FURTHER OBSTRUCT JUSTICE AND INTERFERE WITH PETITIONER'S PREVIOUS Habeas and CIVIL RIGHTS LITIGATIONS, AS EVIDENT UPON MULTIPLE STAFF MEMBERS, INCLUDING LT. MURTON, LT. ARRIOLA, LT. RIDS, and OTHERS, WHO VIOLENTLY ASSAULTED PETITIONER FOR REQUESTING THEY STOP MISgendering her. IN RESPONSE, WHILE IN REAR ARM RESTRAINTS and LEG IRONS, PETITIONER WAS SLAMMED HEAD FIRST INTO A BLOCK WALL, THEN FLIPPED UP SIDE DOWN AND SLAMMED INTO THE CORNER OF BLOCK WALL ON CONCRETE FLOOR. PETITIONER SUSTAINED AN UNTREATED BROKEN CLAVICLE AND SPINE. LARGE MEN JUMPED KNEES FIRST ONTO HER BACK, LEGS, and ARMS, WHILE LT. MURTON PUSHED VIOLENTLY DOWN ON PETITIONER'S head AND NECK, TO BREAK IT. THEN LT. GARDINO, THREATENED PETITIONER, AND TOLD HER TO "REMOVE DOCTOR STEVENS FROM YOUR LAWSUIT, and DROP YOUR LAWSUITS," and "DROP YOUR Habeas case" and LT. RIDS, LT. MURTON, and LT. ARRIOLA TOLD HER TO "STOP FILING PREA REPORTS." THEN LT. ARRIOLA SAID "I'M TIRED OF YOUR SHIT, I HAD TO DEAL WITH YOUR PREA REPORTS FOR THREE MONTHS AT OKLAHOMA CITY!" AS WITH OTHERS, HE WAS TRANSFERRED TO ANOTHER FACILITY. THIS RESOLVED IN PREJUDICE BY DISMISSALS OF THOSE CASES, PETITIONER WAS THEN TOLD BY LT. ARRIOLA THAT SHE WOULD BE TRANSFERRED TO USP TUCSON, THE MOST DANGEROUS SEX OFFENDER FACILITY IN BOP, EVEN THOUGH SHE DID NOT HAVE THE POINTS OR CUSTODY LEVEL. LT. ARRIOLA ASSURED PETITIONER HE ACTED IN A CONSPIRACY TO DENY RIGHTS, AND SPOKE TO HIS "FRIEND" WHO IS THE WARDEN AT TUCSON, AND HIS FRIEND WHO IS AT DSCC (DESIGNATION SENTENCE COMPARISON CENTER) AND PETITIONER WOULD GO THERE. SHE COMPLAINED THAT SHE COULD NOT GO THERE, LT. ARRIOLA WAS INFORMED BY PETITIONER THAT SHE WOULD BE RAPE. ARRIOLA SAID "GOOD, YOU SHOULD BE USED TO IT BY NOW. STOP FILING PREA COMPLAINTS." PETITIONER TOLD WARDEN CACETER, THAT THEY NEEDED TO ASK THE COURT FOR PERMISSION FOR FED. R. APP. P. 23, SHE TOLD PETITIONER THAT SHE WOULD BE ABOUT THE AWAITING RESTRAINING ORDERS. LATER, and PETITIONER SAID SHE WILL BE RAPE. WARDEN CACETER SAID SHE DID NOT "GIVE A FUCK," PETITIONER WAS AGAIN TRANSFERRED AND RAPE AGAIN. LT. GARDINO STATED THAT HE KNEW THE CAPTAIN WHERE PETITIONER WAS GOING AND WAS NOT GOING TO BE GOOD FOR PETITIONER THERE (USP TUCSON). UPON DEBOARDING PLANE SHE WAS SLAMMED HEAD FIRST INTO A BUS. THEN AT USP TUCSON, BEAT SEVERELY FOR REQUESTING HER LEGAL WORK/Habeas/CIVIL RIGHTS PAPERS. THEN PLACED IN A TORTURE CHAIR TO TORTURE, BEAT, SEXUALLY MUTILATE, AND ASSAULT PETITIONER. THEN LIED ON INCIDENT REPORTS, FORCED IN A CELL TO WATCH HER BE ASSAULTED, THEN FORCED HER IN A CELL TO BE RAPE BY A SEXUAL PREDATOR, AND LEFT HER IN THE CELL AFTER BEING NOTIFIED, FOR NINE DAYS. NOW, THEY HAVE FURTHER ACTED TO INTERFERE WITH CASE NO. 4:21-CV-00506-TUC-SHR (D.A.2), AFTER A FRAUD UPON THAT COURT. THEY LET HER MEDICATIONS EXPIRE, DENIED BEARD TRIMMERS, HAIR REMOVAL, STOLE HER BRAS AND PANTIES, INTENTIONALLY MISgender her, AND FORCE MALE ON HER, AND DEPRIVE HER OF TWO SPIRIT NATIVE AMERICAN JEWISH OBSERVANCE INCLUDING PASSOVER, TO SEXUALLY HARASS AND INFLECT CRUEL AND UNUSUAL PUNISHMENTS AND TRANSFER



PETITIONER TO ANOTHER VERY DANGEROUS FACILITY TO HAVE HER RAPED, ASSAULTED, OR KILLED. They already recommended her transfer to the SPECIAL MANAGEMENT UNIT (SMU); where Warden Thomas Bergant was, and who previously abused PETITIONER, illegally took all of her legal papers DESTINED FOR COURT TO INTERFERE WITH COURT PROCEEDINGS IN CASE NO. 20-13962-RMB-AMD and CIV. NO. 21-9696-RMB-AMD (C.N.J.); and forcing a TRANSFER TO HINDER WITH THAT LITIGATION AND OTHERS. PETITIONER INFORMED HIM THAT SHE WOULD CONTINUE TO BE RAPED IF PLACED IN ANOTHER MALE FACILITY IN VIOLATION OF PREA 28 CFR § 115.42 (C), (E), and the EIGHTH AMENDMENT PURSUANT TO FARMER V. BRENNAN, and CAMERON V. MENARD, and MONROE V. BALDWIN. WARDEN BERGANT SAID: "I DON'T GIVE A GOD DAMNED DOG SHIT RAT'S ASS ABOUT DELIBERATE INTERFERENCE TO YOUR HEALTH AND SAFETY, OR FARMER VERSUS BRENNAN, OR YOUR EIGHTH AMENDMENT RIGHTS, OR THAT YOU'RE A FUCKING HERMAPHRODITE OR INTERSEX PERSON, I'M GOING TO TRANSFER YOUR ASS TO A MALE FACILITY, AND I DON'T GIVE A FUCK IF YOU'RE GOING TO BE RAPED AGAIN, BY MY DOING SO". THEN HE SAID: "AND I'M GOING TO COME IN THERE AND TAKE ALL YOUR SHIT" (= PETITIONER'S COURT PAPERS). PETITIONER WAS TRANSFERRED FROM REI PRITON where she had single cell, LOWER BUNK, COUPE LEVEL, SHOWER IN CELL FOR HEALTH AND SAFETY, AND FEMALE ONLY VISIT AND PASS SEARCHES AND ESCORTS FOR PETITIONER'S HEALTH AND SAFETY, WITHOUT ANY INAPPROPRIATE INCIDENTS, TO REI PEKIN. SHE WAS BEAT BY USMS AIRLIFT AND SEXUALLY ASSAULTED ON THE TARMAC BY GRABBING BREAST AND GENITALS, THEN AGAIN AT HANDING, THEN AT REI PEKIN LT. FISHER ORDERED THAT PETITIONER BE SHOT IN HER GENITALS. FISHER ALSO STOLE 5 BOXES OF PETITIONER'S LEGAL DOCUMENTS, SANITARY MAXIPADS, FEMININE HYGIENE, and COGNITIVE. PETITIONER WAS SEXUALLY MUTILATED THEN WHEN PETITIONER FILING A CIVIL RIGHTS AND HABEAS APPEAL, FISHER SAID: "YOUR DESIGNATED RY, IT'S GOING TO BE EPPIC" (BECAUSE PETITIONER WOULD BE BEAT OR KILLED BY, ITS GOING TO BE EPPIC). (BECAUSE PETITIONER WOULD BE BEAT OR KILLED AT REI FLORENCE) PETITIONER ASSERTS, THAT SHE IS NOW IN IMMINENT THREAT OF FURTHER HARM, INJURY, and/or DEATH, and/or RAPIST BY BOB, USDOJ INMATES, OR INMATES INCITED BY THEM, AS THEY DID AT USP-TUCSON, where PETITIONER STILL DOES NOT HAVE THE POTENTIAL TO BE, EVEN AFTER ALL OF THEIR FALSE INCIDENT REPORTS. THE PENDING TRANSFER TO ANOTHER MALE FACILITY IS ILLEGAL IN VIOLATION OF THE PRISON Rape ELIMINATION ACT 28 C.F.R. § 115.42 (C), (E) AS PETITIONER IS AN INTERSEX FEMALE, THE SEVENTH CIRCUIT TOLD THEM SO, AND FARMER V. BRENNAN, 510 S. 825 (MAY) HOLDS IT TO VIOLATE THE EIGHTH AMENDMENT OF THE U.S. CONSTITUTION, AS SHOWN IN CAMERON V. MENARD.

Ground Twenty-Eight: ILLEGAL EXECUTION OF UNAUTHORIZED PENALTY  
 OF CHILD BIRTH REPAYMENT FOR A CHILD CONCEIVED IN NORTH DAKOTA, PRIOR TO  
 ANY TRIPS IN INTERSTATE COMMERCE, PRIOR TO THE LEGITIMATE PURPOSE FOR  
 THE TRIPS OF LEGITIMATE EMPLOYMENT PURPOSE, AND THE RESPONDENTS PROSECUTION ASSERTS: THE PETITIONER HAD  
 BEEN INTIMATE FOR YEARS WITH CANYA FLY "she became enceinte, and she took her to another state...intending to and  
 CONTINUING her relations with her there. It was held that such proof would not sustain the conviction." *Yoder v.*  
*United States*, 80 F. 2d 665, 470-72 (10th Cir. 1935) citing *Van Relt v. United States*, 240 F. 346, 349 (4th Cir.)  
 PETITIONER IS ACTUALLY INNOCENT OF THIS PENALTY, THIS CAN ONLY BE PROSECUTED BY THE STATE,  
 AS A PARENTAL RIGHTS OR SUPPORT CLAIM. THE UNITED STATES HAS NO JURISDICTION

### (A) SUPPORTING FACTS:

PETITIONER IS BEING UNLAWFULLY FORCED TO PAY FOR A CHILD BIRTH, FOR A CHILD CONCEIVED OUTSIDE  
 THE SCOPE OF THE CHARGED OFFENSE. THE U.S. DISTRICT COURT HAD NO JURISDICTION TO ORDER  
 IT, AND IT IS A BREACH OF THE PLEA AGREEMENTS AS PETITIONER DID NOT AGREE TO  
 PAY FOR A CHILD CONCEIVED AND BORN IN NORTH DAKOTA, WHERE PARTIES RESIDE.  
 THE U.S. ATTORNEY'S OFFICE HAS ILLEGALLY COLLECTED FUNDS WITHOUT PETITIONER'S  
 PERMISSION; TO EVEN INCLUDE EXEMPT COVID-19 STIMULUS FUNDS, THIS INCLUDES A  
 \$1914.24 OFFSET BY THE U.S. DEPARTMENT OF THE TREASURY, ON DECEMBER 09, 2022,  
 TOP TRACE NUMBER: 191849283 / ACCOUNT NUMBER: ND 2018A37778001.

THIS RENDERS THE ILLEGALLY COERCED PLEA, UNLAWFUL AND INVOLUNTARY, AS PETITIONER  
 NEVER AGREED TO PAY FOR A CHILD BIRTH, OUTSIDE THE SCOPE OR JURISDICTION  
 OF THE STATUTORILY UNCHARGED 18 USC § 2421 (a) INDICTMENT OR INFORMATION,  
 IN WHICH THE RESPONDENTS PROSECUTION ADMITTED NEWLY DISCOVERED EVIDENCE IN  
 THEIR RESPONSE BRIEF, IN PETITIONER'S 28 USC § 2255 PROCEEDINGS, BY THE BIAS  
 JUDGE HALLAND. THE VICTIM'S BABY WAS NOT BORN UNTIL JANUARY 13, 2017! (Doc. 113, Page 17, LINE 6)  
 THIS PROVES, THE CHILD, MASON FLY, WAS CONCEIVED IN NORTH DAKOTA PRIOR TO ANY OF  
 ALLEGED TRIPS, AS PETITIONER WAS IN TRAINING FOR THE LEGITIMATE EMPLOYMENT PURPOSE  
 FOR THE TRANSPORTATION OF AUTOMOBILES FOR A DRIVE-A-WAY COMPANY, AMERIFLEET INC,  
 THE CHILD MASON FLY WAS "CARRIED TO TERM" (Doc. 113, Page 15, LINE 4), WHICH IS 40 WEEKS, OR  
 280 DAYS, MASON FLY WAS THERE FOR CONCEIVED IN NORTH DAKOTA ON OR ABOUT APRIL 8, 2016,  
 CANYA FLY LEFT A YOUNG SINGLE ADULT RELIGIOUS CONFERENCE WITH A MAN SHE MET THERE,  
 AND WENT MISSING FOR AN ENTIRE AFTERNOON. CANYA WAS FOUND WITH THE MAN AT  
 THE HOLIDAY INN, IN MINOT, NORTH DAKOTA. THE EVENT WAS ON APRIL 8, 9, 10, 2016.  
 PETITIONER WAS IN TRAINING FOR AMERIFLEET ON APRIL 7, 8, 9, 2016. THIS THEREFORE  
 VIOLATES THE US CONSTITUTION PURSUANT TO THE 10TH AMENDMENT, AND THE FEDERALISM  
 DOCTRINE, IN WHICH THE STATES HAVE SOVEREIGNTY, AND THE UNITED STATES CANNOT OVERSTEP  
 THAT BOUNDARY. THE RESPONDENTS NEWLY PROFFERED EVIDENCE, PREVIOUSLY UNAVAILABLE,  
 OR UNKNOWN TO PETITIONER DUE TO HER LEGAL COUNSEL'S DEFICIENT INEFFECTIVENESS  
 IS ALSO FURTHER PROOF OF HER ACTUAL AND LEGAL INNOCENCE OF 18 USC § 2421 (a),  
 AS SHE HAD NO REASON TO TRAVEL FOR ANY SUCH SEXUAL CONDUCT, AS THIS PROVES SHE  
 COULD DO SO AT HOME, AT THE RESIDENCE OF PETITIONER IN NORTH DAKOTA AND THE RESPONDENTS  
 VIOLATED THE 10TH AMENDMENT, AS DID THE BIAS U.S. DISTRICT JUDGE, IN ILLEGALLY  
 CHARGING HER, FOR CONDUCT THAT THEY ADMIT OCCURRED IN NORTH DAKOTA, WHERE BOTH PARTIES  
 RESIDE. FURTHER, RESPONDENTS ILLEGALLY PRESENTED THIS, WITHOUT FIRST PLACING IT IN PLEA,  
 AND ONLY DID SO AFTER SENTENCING. PETITIONER'S LEGAL COUNSEL PROMISED HER THAT NO CHILD  
 BIRTH OR PREGNANCY WOULD BE DISCUSSED IF SHE SIGNED THE TORTURED COERCED, INDUCED UNKNOWNING  
 AND INVOLUNTARY PLEA. THIS IS A DENIAL OF DUE PROCESS, AND EQUAL PROTECTION, AND A CRUEL  
 AND UNUSUAL PUNISHMENT IN VIOLATION OF THE 5TH, 8TH, AND 14TH AMENDMENTS.



GROUND TWENTY-NINE: ILLEGAL EXECUTION OF SENTENCE, DENIAL OF MEDICALLY NECESSARY TREATMENTS, CARE, PRESCRIPTIONS, ACCOMMODATIONS, PROCEDURES, AND SURGERIES, IN VIOLATION OF THE 5TH, 8TH, AND 14TH AMENDMENTS TO THE U.S. CONSTITUTION, THE ADMINISTRATIVE PROCEDURES ACT 5 U.S.C. §§ 702, 704, AND 706 FOR ARBITRARY AND CAPRICIOUS ACTS BY GOVERNMENT OFFICIALS, TO INTERFERE WITH PETITIONER'S HABEAS CORPUS AND CIVIL RIGHTS LITIGATIONS, BY TORTURING HER IN VIOLATION OF 18 USC § 2340, AND INFLECTING CRUEL AND UNUSUAL PUNISHMENTS IN VIOLATION OF THE 8TH AMENDMENT, TO DENY DUE PROCESS AND EQUAL PROTECTIONS IN VIOLATION OF THE 5TH AND 14TH AMENDMENTS, THIS VIOLATES ESTELLE V. GAMBLE, 413 US 97, 103-105 (1973)

(A) SUPPORTING FACTS:

The Respondents ARE ILLEGALLY UNCONSTITUTIONALLY ARE DEPRIVING PETITIONER OF HER PREVIOUSLY PRESCRIBED MEDICALLY NECESSARY TREATMENTS, BY ARBITRARILY AND CAPRICIOUSLY ALLOWING THEM TO EXPIRE AND FAILING TO RENEW THEM, WITH INTENT TO DENY DUE PROCESS AND INTERFERE WITH COURT PROCEEDINGS. THE RESPONDENTS HAVE ALSO ILLEGALLY UNCONSTITUTIONALLY DISCONTINUED MEDICALLY NECESSARY TREATMENTS, PRESCRIBED BY SPECIALISTS, AND PLACED IN PETITIONER'S MEDICAL RECORDS "I DON'T KNOW MUCH IN SUCH THINGS, BECAUSE, THEY ARE NOT SPECIALISTS, AND ARE UNQUALIFIED TO TREAT CHANGE, DISCONTINUE, OR ALLOW PETITIONER'S MEDICATIONS TO ARBITRARILY EXPIRE. FURTHER, THE RESPONDENTS HAVE ILLEGALLY INTERFERED, DENIED, OR DELAYED PETITIONER'S MEDICATIONS TO INTERFERE WITH U.S. DISTRICT COURT CASE: 4:21-cv-00367-SPR TO DENY DUE PROCESS, INTENTIONALLY INFLECTING EMOTIONAL DISTRESS, AND SEXUAL ABUSE OF INTEREST RELATED GENDER DYSPHORIA. THE RESPONDENTS ALLOWED PETITIONER'S MEDICALLY NECESSARY HORMONE REPLACEMENT THERAPY TO EXPIRE, AND HAVE REFUSED TO RESTORE IT, JUST AS THEY DID TO ILLEGALLY INTERFERE WITH PETITIONER'S PRE-TRIAL PROCEEDINGS TO TORTURE HER INTO A PLEN, TO A STATUTORILY UNCHARGED OFFENSE, WITH A DEFECTIVE INDICTMENT, SHE IS ACTUALLY INNOCENT AND LEGALLY INNOCENT OF. YET LIED TO THE COURT AND STATED "THE HORMONE THERAPY HAS BEEN APPROVED, AND IT'S ON ITS WAY, YOUR HONOR, AT DETENTION HEARING SEPTEMBER 22, 2014 (CASE NO. 1:10-cr-0134-P, N.D.) AND IMMEDIATELY TELLING THE STAFFS TO NOT PROVIDE IT TO HER. THE RESPONDENTS CONTINUE TO USE THIS FORM OF TORTURE UPON PETITIONER TO DENY DUE PROCESS AND EQUAL PROTECTIONS, IN VIOLATION OF THE 5TH, 8TH, AND 14TH AMENDMENTS TO THE U.S. CONSTITUTION. THE RESPONDENTS ARE FURTHER DEPRIVING PETITIONER OF DAILY HAIR REMOVAL, THAT IS MEDICALLY NECESSARY, AND PREVIOUSLY PROMISED TO HER IN THE EXHAUSTED REMEDY OF PETITIONER, NO. 1024997-A1 PARAGRAPH 4, PETITIONER FURTHER EXHAUSTED SEXUAL ABUSE BY STAFF AND INMATES, TRANSFER TO A FEMALE FACILITY FOR HEALTH AND SAFETY, SINGLE CELL, WARMER LIVING QUARTERS FOR RAYMOND, STAFF ILLEGALLY DISCONTINUING MEDICAL CARE, LOWER BUNKY LOWER LEVEL, SINGLE CELL, MAKEUP, MAKE UP, EXTRA LAYERS OF CLOTHES AND BLANKETS, LEGGINGS, FEMALE ONLY VIOLENCE AND PIT GROWCHES AND ESCORTS AND HOUSING ASSIGNMENTS, LONG SLEEVES, ORBITAL REMOVAL SHOES, LASER HAIR REMOVAL, AND ALL GENDER CORRECTION SURGERIES. THESE ISSUES WERE ALL EXHAUSTED BY PETITIONER, AND THIS ALSO WAS A CONTRARY RESPONSE TO BOP'S WRITTEN POLICY IN REGARDS TO GENDER AFFIRMING SURGERIES, TO EFFECTUATE A BLANKET POLICY DENIAL, WHICH THE FEDERAL COURTS HOLD TO VIOLATE THE 5TH, 8TH, AND 14TH AMENDMENTS. THEY HAD A RESPONSE THAT "GENDER AFFIRMING SURGERY IS CONSIDERED AFTER REAL LIFE EXPERIENCE IN YOUR PREFERRED GENDER. THEREFORE THE TRANSGENDER EXECUTIVE COUNCIL (TEC) REVIEWED YOU FOR TRANSFER TO A FEMALE FACILITY." THIS IS CONTRARY TO THE WPATH STANDARDS OF CARE, THE NINTH CIRCUIT HOLDS TO BE THE AUTHORITY, AND ALSO CONTRARY TO BOP'S OWN "MEDICAL MANAGEMENT OF TRANSGENDER INMATES" (DECEMBER 2016) PAGE 10, SECTION 8 "STEPWISE APPROACH TO MEDICAL AND MENTAL HEALTH MANAGEMENT OF TG INDIVIDUALS" TABLE 2, SECTION 1. "IMPLEMENTATION/INITIATION OF REAL LIFE EXPERIENCE (RLE)". CLEARLY SHOWING THIS WAS ALREADY MET, AS HAS BEEN STAGE 7, BY THEIR OWN POLICY, WPATH SOC, AND PREA PART 28 CFR, 115.42 (C)(3). THE RESPONDENTS ARE ALREADY CLEARLY ACTING IN A DISCRIMINATORY, ARBITRARY, AND CAPRICIOUS MANNER TO DO HARM UPON PETITIONER, AS SHE WAS REQUIRED TO BE PLACED IN A FEMALE FACILITY FOR MEDICALLY NECESSARY TREATMENTS, PROCEDURES, AND CARE, AND TO PREVENT SEXUAL ABUSE.



Ground Thirty: DENIAL OF DUE PROCESS, by ignoring the U.S. District Courts orders, including the U.S. District of Arizona, Case No. 4:21-cv-00506-TVC-SHR, Doc. 40, V. (3), even when Att. 3, 4 are freely distributed to all other inmates upon request, this is a violation of the Courts order, and denies due process and equal protections, and are an infliction of cruel and unusual punishment, in violation of the 1st, 5th, 8th, and 14th amendments, which Petitioner has a right to redress and grievance the government, and access to the courts.

### (A) SUPPORTING FACTS:

Petitioner asserts that Respondents are illegally disobeying the Courts orders, and hindering Petitioner's access to the courts, ability to prosecute her non-privileged claims, and properly defend against further fraud upon the court in Petitioner's legal matters. Petitioner has repeatedly requested Respondents to provide access to these documents, some of which Petitioner previously held in her possession (Att. 3, 4, medical and psychological records), which proved criminal activities and fraud upon the court, in Petitioner's pretrial proceedings. These prove denial of due process in Petitioner's pretrial proceedings and further prove, she was tortured into an unknowing and involuntary plea agreement, when she is actually and legally innocent of 18 USC § 2421(a). The Respondents Agent Lieutenant M. Fisher illegally stole them from her to interfere with the due administration of justice, and interfere with an investigation by a federal judge, in both Petitioner's Habeas corpus, and also her civil rights litigation. The Respondents continue in their conspiracy to deny rights in violation of 18 USC §§ 241 and 242, and 1503, and 1512, by further denying Petitioner of these documents, and further forcibly rape upon her, then destroying Petitioner's legal work, per reporting the rape. Petitioner did have some new ones issued to her, of her medical records, as they are freely provided to inmates upon request per policy. Yet, Respondents, are attempting to cover up their illegal torture and abuse, since illegally arresting, incarcerating, prosecuting without any jurisdiction, and convicting without any jurisdiction, by torturing Petitioner through her intersex related gender dysphoria, during Petitioner's pretrial proceedings, and now by allowing her hormone therapy to illegally expire, failing to provide, and concealing false, misleading, or altered records to deceive the court, in the instant proceedings and Civ. No. 4:21-cv-00506-TVC-SHR. This is a denial of Petitioner's right to redress and grievance the government, denial of due process, denial of equal protections, through inflictions of cruel and unusual punishment in violation of the 1st, 5th, 8th, and 14th amendments to the U.S. Constitution.

411 OS 475,484 (C972) BELL V. WOLFE, 411 OS 520 (C970), 219 LEXIS 5, 1989 WL 5074 (2010).

(C) SUPPORTING FACTS:  
The Respondents, INTEND TO TRANSFER PETITIONER ILLEGALLY UNCONSTITUTIONALLY TO UNITED STATES PRISONERY-TERRE Haute, WITH INTENT TO KILL her, LIKE THEY DID TO JAMES "WHITEY" BULLER (SEE EXHIBIT K. and JEFFREY EPPSTEIN, USP-TERRE Haute IS KNOWN TO BE AN EXTREMELY VIOLENT DANGEROUS, and DEADLY FACILITY, ESPECIALLY FOR INTERSEX AND/OR TRANSSEXUAL MINORITIES WITH A FEMININE APPEARANCE, AND IS THE FACILITY FETTERED IN FARMER, SURVIVOR DEE FARMER, A TRANSSEXUAL FEMININE APPEARANCE AND IS THE FACILITY FETTERED IN FARMER, SURVIVOR DEE FARMER, A TRANSSEXUAL FEMININE APPEARANCE, FEMALE SECONDARY SEX CHARACTERISTICS, and on FEMININE HORMONES WHO UNDERWENT AN AUTO ORCHECTOMY (SELF-CASTRATION), and HAD A BURNED GENITAL SURGERY, JUST LIKE PETITIONER. THE RESPONDENTS IN THAT CASE, JUST LIKE IN THE INSTANT CASE WERE FULLY ON NOTICE, and acted in DELIBERATE INDIFFERENCE to her HEALTH and SAFETY by ILLEGALLY TRANSFERRING her THERE, FULLY AWARE OF THE HARM THAT WOULD HAPPEN TO her. THIS IS THE EXACT SCENARIO WITH THE INSTANT CASE, FARMER WAS BEAT, Raped, and GOT AIDS,

The Respondents have continuously Repeatedly Transferred Petitioner to INTERFER WITH COURT PROCEEDINGS, resulting in dismissals and a WRONGFUL CONVICTION ~~IN~~ THE INSTANT OFFENSE. Petitioner has Exhausted her Administrative Remedies, Filed "Emergency" Immigrant Threat PREA COMPLAINTS pursuant to 28 CFR § 115.52 (C) which the Respondents Repeatedly Ignore. Petitioner has Enlisted JENNA EPPLE, DR. JILL ROSE, MEMICK GASKARD, The US DOJ-DOG, Kenneth Hyle, The Warden, and her Associate Wardens and Unit Managers, and Psychology and Health Services ABOUT this issue. The Respondents Ignore her Pleas for Protection of her health and safety.

The Respondents Ignored the Court and Plaintiff, and act in sadistic and malicious intent to do harm upon her, in deliberate indifference to her health and safety, denying due process, Equal Protections in Bias Hate upon her intersex and/or transgender status, to interfere and harass and

The Respondents are fully aware that Petitioner is extremely vulnerable to attack by staff and inmates who are born biologically male. Petitioner has been raped, sexually physically assaulted by 75 separate biologically born male inmates, and multiple staff members. On several occasions Respondents have left her locked in a cell as much as 24 hours a day, to be raped, after informing them, she was being raped, sexually/physically assaulted or harassed in her cell. At PIER VICTORVILLE, Lt. Johnson said, "stop fucking with my staff or you'll learn to fuck or fight," when informed she was being raped in her cell. Petitioner was raped for approximately 5 additional consecutive days, at USP Yazoo, Petitioner notified staff she did not want to be placed in a cell with anyone as she would likely be raped, then forced her into a cell with an inmate accused of sexually attacking their previous cell mate, the night before. Within minutes Petitioner was raped, then told Respondents staff, she was being raped, staff ignored her verbal and written requests/PREA complaints to be rescued and treated medically for an additional 18+ hours approximate. Then only removed for recreation, where she demanded to be treated, then another 24 hours, she was finally taken to the hospital, where she was prescribed trovada, and treated for sexually transmitted diseases, the doctor listed "Indications: HIV ~~infectious~~ disease," and prescribed her to be isolated in a single cell alone, and to be kept separate from males, as she would attempt suicide. This did occur, due to several subsequent sexual assaults. See Exhibit H.

Petitioner, was forced onto a cell with sexually violent predator Ray Bryant by Respondents on December 21-29, 2021, to be raped, with intent to retaliate to do harm, and deny due process, on legal actions.

The Respondents left her in the cell to be raped after torturing them.

The Respondents have intentionally transported Petitioner to inflict rape, assault, abuse, torture, and sexual harassments, with intent to interfere with Habeas and civil rights, litigation, resulting in dismissals.

The Respondents illegally transferred Petitioner from a protective custody facility to a non protective custody facility (PCI Florence) to have her killed, like "Whore" Bulger, see Exhibit K, then to the most dangerous sex offender facility to be raped.

Due to this misconduct, she was beat, raped, tortured, and Respondents attempted, and continue to attempt to kill her, or incite violence, so, inmates will rape and kill her.

The Respondents have designated her to USP Terre Haute, to force rape upon her, and severe assaults, then deprive her medical care, and induce murder, or AIDS infection to kill her.

The Petitioner does not have high custody points, to be at a Penitentiary, she had minimum/low points at 3 or 4. The Respondents illegally secured these to place her in a DSP. Yet still her points are too low, at 20.

Petitioner should only be placed in a female facility, for her health and safety, consistent with The Prison Rape Elimination Act, the 5th, 8th, and 14th Amendments of the U.S. Constitution, to prevent further sexual servitude in violation of the 13th Amendment, to the U.S. Constitution.

Due to the ongoing, Petitioner is being illegally held, and the Respondents are illegally executing her sentence in violation of the Eighth Amendment, Arizona and Federal Vulnerable Adult Laws, The Convention Against Torture, The Convention on Discrimination against all women, The Universal Declaration on Human Rights, The Prison Rape Elimination Act, The Administrative Procedures Act 5 USC §§ 703, 704, 706, and should be immediately released or placed in a female facility for her health and safety.



6 Round, Thirty-two, Right to choose manner of execution or death sentence or penalty, or in the alternative Right to self-terminate own life to prevent further lingering death. *Estelle v. Gamble*, 429 U.S. 97, 103-105 (1976), from Respondents' torture, and forced rape, and deprivation of medically necessary treatments; including hormone replacement therapy, and gender affirming surgeries, and by Respondents forcing petitioner to be male, when she is intersex and/or transgender female, see Doc. 14-1, Page 2, 4:21-cv-00566-tuc-shr. with genitalia that looks like "labia majora" etc. This is a denial of due process and equal protection, through the infliction of cruel and unusual punishments, through forced sexual servitude, deprivation of medical treatments, and torture, through rape, assault, and denial of care, and interfering with petitioners legal rights, to deny due process, in violation of state and federal vulnerable adult laws, Administrative Procedures Act, 5 U.S.C. § 552, 704, 706, Amendments 51813, and 14, of the US constitution, 16th Amendment, 16th Amendment, 16th Amendment.

### (A) SUPPORTING FACTS:

The Respondents continue to mistreat and torture petitioner, through her serious medical conditions, which has resulted in a lingering death, tantamount to a botched execution in the electric chair. In fact, the Respondents have repeatedly botched the many attempts at committing homicide and executing the death penalty upon petitioner.

These attempts include: 1. Transferring petitioner repeatedly to male facilities to be raped, assaulted, or killed by inmates, who are biologically born males, and/or dangerous current or former dangerous gang members; and with intent to induce suicide, through the result of this abuse, 2. Transferring petitioner from a protective custody facility, to an active dangerous gang run non-protective custody facility, to be violently assaulted, and beat to death, like James "Whitey" Bulger see Exhibit H.

3. Respondents transferring petitioner repeatedly to beat, force rape, sexually mutilate, torture, and deny medical care upon her, in attempt to murder her for having PREA complaints and Habeas corpus, and civil rights actions, then lying on disciplinary reports to deny due process in disciplinary proceedings, to lengthen her sentence, raise the custody level, place her in solitary confinement, then transfer her again to repeat the process.

4. Respondents attempting to execute the death penalty in March 2021, October 29-30, 2021, and May 24, 2021. By brutally shooting her in her genitalia at Point Blank Range, slamming her head into a block wall under the blue force of approximately 10-15 large men, breaking her clavical and back, then slamming her in pile driver fashion head first into corner wall/floor with intent to do harm, injury, and homicide upon her for filing civil rights litigations in the district of New Jersey and central district of Illinois, and then threatened to remove defendants from those suits, including Dr. Megan Stevens, PsyD. Followed by being tortured in a torture chamber, with pain so excruciating it has resulted in inmates dying or losing limbs (hands/arms), and inflicting such white pain for excessively long periods.

5. Respondents discontinuing petitioner's PrEP medication in attempt to kill her through execution of a lingering death penalty sentence, carried out by forcing her to be raped by 75 separate inmates and staff to infect her with AIDS.

6. Forcing rape on petitioner, and inducing suicide attempts to prevent it again, see Exhibit H. Now by 75 separate inmates and staff.

7. Deprivation of medically necessary treatments, housing assignments, and surgeries, that are gender affirming, with intent to induce suicide.

8. Intentionally inflicting emotional distress to induce cardiac arrest or suicide.

Petitioner motions the court to either: 1. Execute petitioner's death sentence by firing squad, or a lethal dose of medication; or 2. Allow petitioner to hang herself to completion without any interference by Respondents, and do not harass her again. Please note, 18 USC § 2421(a) has a maximum penalty of 10 years imprisonment. Petitioner has been denied due process from the state, by prosecutive misconduct, bias judge, ineffective assistance, and torture. This is a violation of her constitutional rights. In the alternative, she seeks immediate release from her illegal custody.

Ground Thirty-Three: Illegal Transfer From USP Tucson to USP Tritz Harte,  
 IN VIOLATION OF FEDERAL RULES OF APPELLATE PROCEDURE RULE 13,  
 WITHOUT FIRST REQUESTING THE PERMISSION OF THE U.S. DISTRICT OF  
 ARIZONA.

(b) SUPPORTING FACTS:

The Respondents are required to request permission from this court prior to any transfer, and have failed to do so, to deny due process, and obstruct the due administration of justice in violation of 18 USC § 1503, to interfere with an investigation by a Federal Judge in violation of 18 USC § 1512.

The Respondents have previously done this, resulting in prejudice by the dismissal of prisoners cases,

GROUND THIRTY-FOUR: FAILURE TO PROPERLY EXECUTE A SENTENCE BY DENIAL  
 OF VETERAN SPECIFIC FIRST STEP ACT OR OTHER VETERAN SPECIFIC PROGRAMMING.  
 SEE EXHIBIT D. TO REDUCE HER SENTENCE AND TREAT PETITIONER'S PTSD.  
 FURTHER, RESPONDENTS FAILED TO PROVIDE RESOLVE PROGRAM AT A FEMALE  
 FACILITY TO TREAT RARE TRAUMA SYNDROME/COMPLEX PTSD.  
 THIS VIOLATES THE 5TH AND 6TH AMENDMENTS, AND THE FIRST STEP ACT

(A) SUPPORTING FACTS:

PETITIONER IS A VETERAN OF US ARMY, AND HAS REQUESTED THIS PROGRAMMING  
 AND THIS IS RESULTING IN A MORE LEGITIMATE SENTENCE, AT A HIGHER COST TO THE  
 FACILITY



(3) Result: N/A

(4) Date of result: N/A

(5) Issues raised: N/A

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(d) Did you file an appeal with the federal court of appeals? Yes ☒ No ☐

(1) Name of the court: EIGHTH CIRCUIT COURT OF APPEALS

(2) Date you filed: UNKNOWN

(3) Case number: UNKNOWN

(4) Result: Failed to hear on merits, BOP violated due process

(5) Date of result: UNKNOWN

(6) Issues raised: UNKNOWN

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

9. Petitioner asks that the Court grant the following relief: IMMEDIATE RELEASE, ACQUITTAL, PLACEMENT IN FEMALE INSTITUTION, REVERSAL OF CONVICTION, SEVERED AND ILLEGAL CHILD BIRTH REPAYMENT, AND LIFETIME SUPERVISION REVERSAL, LIFETIME BAN ON FAMILY REVERSAL, SORNA REPEALING, REVERSAL, ILLEGAL SENTENCE ENHANCEMENT REVERSAL, CORRECTION OF PSER, REVERSE ILLEGAL or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.) SENTENCE, RESTORE ALL GOOD CONDUCT TIME, PLACEMENT IN FEMALE RESOLVE AND COSMETOLOGY PROGRAMS, RESTORE TO WHERE SHE WAS PRIOR TO ARREST, RESTORE CREDIT, VEHICLES, PROPERTY, BUSINESS LICENSE, ELECTRONICS, CLOTHING, BANK ACCOUNTS, PHONE, CAR, VEHICLE, CREDIT ACCOUNTS.

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on FEBRUARY 16, 2023 (month, day, year).

Signature of Petitioner Tommy FURTHER, IMMEDIATE RELEASE ON BOND, PENDING REVIEW OR HEARING, IMMEDIATELY TAKE TO PETITIONER SPECIALIST PHYSICIANS, IMMEDIATELY TAKE PETITIONER TO WPATH CERTIFIED SPECIALISTS, REINSTATE ALL OF PETITIONER'S PRESCRIPTIONS AND ACCOMMODATIONS,

PRO-SP - PRISONER LEGALLY AID,  
Signature of attorney, if any

16 Feb 2023  
Date